

NORTH CAROLINA
MASONIC DIGEST



VOLUME II
1907-1926

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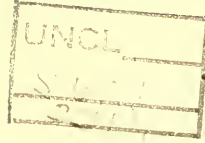
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A DIGEST

OF THE

Masonic Law of North Carolina

1907 TO 1925

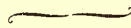
*As Contained in the Resolutions, Edicts and
Decisions of the Grand Lodge and its
Several Grand Masters During
That Period*

Compiled by

ALEXANDER B. ANDREWS

GRAND MASTER, A. F. & A. M., 1916

RALEIGH, N. C.



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VOLUME 2

VOLUME 1

Contains Sections 1 to 594, that is pages 1 to 137.

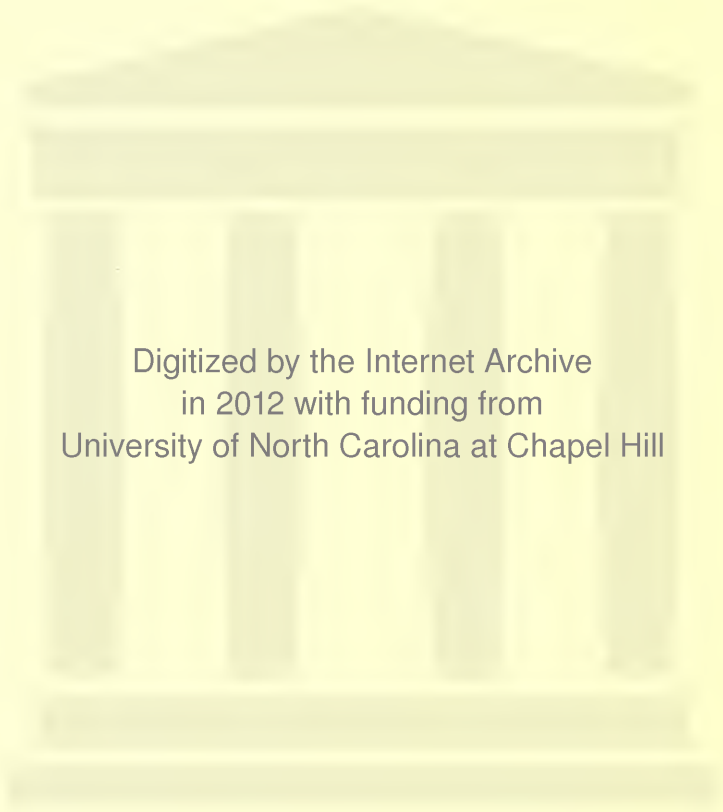
VOLUME 2

Contains Sections 595 to 1063, that is pages 138 to 271.

To the forty-two thousand Masons of North Carolina, especially to those who are at present, and those who in the future are to be the Masters of lodges for the next score of years, who may dignify and honor this publication by examining and studying its pages to learn the rulings of the Grand Lodge of North Carolina, settling and approving precedents for the guidance of the Craft, and making for the advancement of the Masonic Order and of our State, this second volume of the Masonic Digest is most gratefully dedicated.

ALEXANDER B. ANDREWS,
Past Grand Master (1916).

February 2, 1926.



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PREFACE

Twenty years ago the Grand Lodge published a Digest of Masonic Law of North Carolina, which the writer compiled, which has been welcomed and received by those Masons seeking through its pages to learn the instruction and guidance of the Grand Lodge, and annually cited and quoted from by each Grand Master.

That Digest terminated with the Grand Lodge Proceedings of 1906, and this second volume, therefore, commences with the Proceedings of 1907, and brings them down through the Proceedings of 1925, a period of nineteen years, and it is now presented to the Craft.

The same style of indexing (with which the Craft is generally familiar) has been followed, each ruling being indexed under from two to six headings, and it is hoped that the several paragraphs will be easily located.

During the past twenty years, when the Masonic Order has increased from 12,000 to over 42,000, North Carolina has progressed in many wonderful ways, education has made rapid progress, good roads carry the citizen many miles in a day, modern and commodious school houses have replaced the old buildings, our people have prospered in manufacture, agriculture and commerce, and today we are a part of the world at large, and as a new generation of workers are now on the scene of active life, it is but natural that there should have been some changes in some of the legislation of the Grand Lodge. Under any given set of circumstances, most of us will agree in what the law is, or should be, yet when conditions have so changed, an earlier precedent should not be slavishly adhered to as does a Chinaman venerate the past. Only during the past two years a Grand Master ruled that an illiterate, no matter how worthy, could not petition for the degrees of Masonry. This reversed outright a decision of thirty years ago, which looks revolutionary and iconoclastic. However, when we think that for the last sixteen years no one can be a voter in our State unless he can read and write any section of the State Constitution, it is but applying the test of education and efficiency to present day conditions, and our stands of today surely ought to be higher, and not lower, than those of the past.

The Grand Lodge that printed the first volume of this Digest was the Grand Lodge of Past Grand Masters John Nichols, Fabius H. Busbee, John W. Cotton, Samuel H. Smith, Grand Secretary John C. Drewry and a host of others, too numerous to mention, who labored earnestly and wrought well, building the solid foundations upon which the present superstructure of 1926 Freemasonry rests so solid and secure. We of the present generation

are reaping the results of their well planned efforts, just as succeeding generations will build and carry on using our work of today as their foundation.

As the Constitution and Code of Laws of the Grand Lodge have recently been revised, this Digest has been carefully gone over by that committee, who have passed upon the several sections, and noted them as over-ruled or modified, which will be of great value to students of Masonic Law. Therefore, each one using this Digest is requested to refer to the statement of that committee (which is printed with the Digest) to see how the ruling has been modified or changed by the new revision.

Freemasonry in North Carolina dates back to St. Johns Lodge, ----, on the Cape Fear River, which was No. 213 on the registry of the Grand Lodge of England, and was warranted 1755. Royal White Hart, No. 403, at Halifax, on the Roanoke River, was warranted August 21, 1767. Previously it had begun work November 1, 1764. "by virtue of a letter of authority from Cornelius Harnett, Grand Master of the lodge in Wilmington." Later when the times were propitious for the spread of Freemasonry, and following the then custom of the Grand Lodge of England in selecting as its Provincial Grand Masters someone connected with the Crown revenues, or the administration of the affairs of the Colony, on January 14, 1771, Henry Somerset, Fifth Duke of Beaufort, Grand Master of the Grand Lodge of England, issued a commission to Joseph Montfort (then Treasurer of the Northern District of the Royal Colony of North Carolina), of Halifax, as Provincial Grand Master. Joseph Montfort issued charters to lodges as follows:

St Johns at New Bern, (of which Chief Justice Martin Howard was the first Master);

St. Johns at Kinston, (the home of Richard Caswell, Treasurer of the Southern District of North Carolina, who in 1788 became Grand Master);

Royal Edwin at Windsor, (the home of Provincial Grand Secretary William Brimage);

Royal William at Winton, Hertford County, (the home of John Johnston, Surveyor General of the Colony);

Unanimity at Edenton, (the port of Roanoke and the home of Samuel Johnson, later Governor and first Grand Master).

All of these afterwards took part in the organization in 1787 of the Grand Lodge of the independent State of North Carolina, as the successor to the Provincial Grand Lodge of the Royal Colony of North Carolina, as independence of a territorial nature as to National sovereignty authorized the formation of an independent autonomous Grand Lodge, which view was held by all American Grand Lodges and was practically yielded by the Grand Lodge of England. Were one writing a history (and not a preface to a Digest of Masonic Law), something should here be said about Hanover Lodge, near Wilmington; the lodge in Pitt County held under Massachusetts authority; Dornoch Lodge in Warren County;

Union (now Phoenix) Lodge of Fayetteville, which then existed in North Carolina.

The Provincial Grand Lodge of North Carolina, presided over by Provincial Grand Master Joseph Montfort, practically terminated and its usefulness ended with his death, March 25, 1776, and the War of the American Revolution which then ensued. Its several lodges continued to function, with more or less regularity, and in 1787 was organized the Grand Lodge of North Carolina, the representatives from the several lodges being very greatly the members of the State Congress then assembled at Tarboro.

The manuscript minutes of the Convention held at Tarboro, December 11, 1787, contains the following concise statement of the action taken, and the reasons therefor:

“Whereas, the harmony and happiness of the Ancient and Honorable Society of Free and Accepted Masons have been disturbed by the late revolution, and the free intercourse and correspondence between the Fraternity in America and Great Britain thereby in a great measure broken off, whereby it has become necessary that the Brethren in the State of North Carolina establish a certain mode or frame of Constitution for the well ordering and uniform government of the Society, and

“Whereas, a majority of the several regular constituted lodges of this State, having elected delegates for the express purpose of forming such Constitution and electing the Grand Officers of the State, the following delegates” (were present).

“That the government of all the lodges that now are, or hereafter may be established in this State, shall be vested in a Grand Master and other Grand Officers, to be elected according to the Ancient Constitution of Free and Accepted Masons; who with such members as shall be appointed by the several lodges to attend in Convention shall be stiled (styled) and denominate The Grand Lodge of the State of North Carolina; which Grand Lodge shall exercise all the powers incident or usual to Grand Lodges held under the authorities expressed in the Book of Constitutions (until a Constitution for the government of the Craft shall be proposed and adopted by a Continental Grand Lodge, if such shall be appointed) and that all private lodges conform and subject themselves to such government accordingly.”

The minutes further recite “And for the purpose of carrying this Constitution into effect the brethren proceeded in their ancient and laudable method to elect the officers of the said Grand Lodge for the ensuing year from the next St. John’s Day, the ballots being taken and

the following brethren, to-wit: Samuel Johnston, Grand Master; Richard Caswell, Deputy Grand Master; Richard Ellis, Senior Grand Warden; Michæl Payne, Junior Grand Warden; Abner Neale, Grand Treasurer; and James Glasgow, Grand Secretary, were announced accordingly."

No wonder they turned to Governor Samuel Johnston (for ten years one of the Judges of the State) to be the first Grand Master of the re-assembled Grand Lodge of the State of North Carolina, in succession to Joseph Montfort, of the Provincial Grand Lodge of North Carolina, who had died eleven years previously, whose commission was held directly from the Grand Lodge of England, which today is one of the cherished relics of this Grand Lodge, and for safety is placed in the Hall of History for the State of North Carolina, here at Raleigh.

The Freemasonry of the generations succeeding the Grand Lodge of Governor Samuel Johnston, Governor Richard Caswell, Governor Alexander Martin, and Governor William R. Davie, each of whom served as Grand Master, was an aristocratic membership that believed in exclusiveness, and their Masonic contribution to the world has been largely a wonderful memorabilia of splendid sentiments and traditions that makes an aristocratic society such delightful company. That would not detract one whit from their contribution to the general good, such as laying the cornerstone of the old East Building of the University of North Carolina, October 12, 1793, nor the cornerstone of the South Building, April 14, 1798, thereby aiding and lighting the lamp of learning and education, which as legislators and foremost citizens they had started the new State of North Carolina upon its course as a Nation and a State. July 4, 1833, (during the Anti-Masonic crusade) the Grand Lodge laid the cornerstone of the present State Capitol.

The actions of the Grand Lodge, as spoken through its edicts and regulations, attest the steady advance of a people on a forward march of an upward civilization, which is becoming more and more enlightened. The great advance of our State in which the Grand Lodge has wonderfully shared, one is the number of Masons have increased from 10,000 to 42,000 members in twenty-five years. It has been due to so many contributing causes, such as the recovery from the devastating effect of the great Civil War, 1861 to 1865, the National and uniting effect of the Spanish-American War of 1898 on the American people and country, the advance of North Carolina in industrial lines, the Constitutional Amendment of 1900 declaring that an illiterate person should not be a voter after 1908, the realization of our people that trade and commerce is profitable on a large scale, especially with the people further distant than those with whom we rub elbows daily, the fixed determined purpose of our people that their children shall have an opportunity for an education in standard public schools, and be taught by well educated teachers, and the further fact that good roads and easy avenues of access to neighboring cities and towns are necessary to make a homogenous people.

It is from the history of the past that we learn lessons of the future. It is from the biographies of successful men that youth is inspired to greater achievements. It is from the precedents and rulings of those that preceded us in Freemasonry that we mold our Masonic principles and jurisprudence. Therefore, it is well for all thoughtful people following precedents to consider the times in which such precedents were made, and the circumstances surrounding. With this thought in view, we have no apology for the Masonry of the past, with which the writer became acquainted twenty-eight years ago.

In the preparation of the first volume of the Digest, intentionally there was overlooked and omitted the ruling of the Grand Lodge of 1899, withdrawing recognition from the Grand Lodge of Washington, because of the action of its then Grand Master, as the succeeding Grand Lodge of 1900 rescinded the action because the Grand Lodge of Washington returned to the ancient landmarks.

We now realize that the omission of the principles of Masonic law so splendidly set forth in that report—an outstanding contribution to Masonic Jurisprudence—was a serious and egregious omission.

Therefore, we think here should be presented the unqualified language both of Grand Master Walter E. Moore, and of the Committee on Masonic Jurisprudence.

Said Grand Master Moore in his address:

SISTER GRAND JURISDICTIONS

During the past year the relations with other Grand Jurisdictions have been most friendly and fraternal. Since our last Annual Communication the Grand Lodge of Peru has returned to its first love and true Masonic teachings and restored to its altar the Holy Bible, the Great Light in Masonry, whereby it now deserves recognition from this Grand Jurisdiction, and I recommend that fraternal relations between this Grand Lodge and the Grand Lodge of Peru be re-established. I further wish to report that the Grand Lodge of the State of Washington has recognized the Grand Lodges of Negro Masonry in the United States, and established fraternal intercourse with them. I regard such lodges as clandestine, not having been regularly constituted, and its members not having received the degrees in regular lodges. I, therefore, discountenance such action on the part of the Grand Lodge of Washington and suggest that we do not further establish fraternal relations between this Grand Jurisdiction and the Grand Jurisdiction of the State of Washington until that Grand Jurisdiction shall repeal the edict by which it so recognized the Grand Lodges of Negro Masonry. The social feature of Masonry is one of the strongest ties that binds brother to brother, and,

when that is destroyed, it will bring such a state of affairs into play as would render absolutely worthless and dissolve every lodge in North Carolina. I deem it useless for me to speak further on this subject. (1899. Grand Lodge of North Carolina, page 15.)

The report of the Committee on Masonic Jurisprudence was written by that ripe Masonic scholar, Past Grand Master Fabius H. Busbee, in whose office the writer had desk room, and without apology we here set forth that report in full, which should have been brought forward in the first volume of the Digest:

The Committee on Jurisprudence, to which has been referred so much of the Grand Master's address as relates to the action of the Grand Lodge of Washington, of June 15, A. D. 5898, in the adoption of the resolutions which appear on page 60 of the proceedings of that body, recognizing the legitimacy of the Masonry of negroes who received the degrees from colored lodges chartered by colored grand lodges, claiming to exist within the jurisdictions of Illinois and Florida, respectfully beg leave to report:

Your Committee has examined with care the report of D.G.M. William H. Upton, submitted for the committee, to the Grand Lodge of Washington and his letter written after his election as Grand Master to W. A. Sutherland, Grand Master of Masons in the State of New York, and also the admirable reply of Grand Master Sutherland.

With the spirit and temper of this letter, addressed to the Grand Master of the great jurisdiction of the State of New York, evidently seeking to conciliate him, and its effort to excite against Southern Grand Lodges hostility and deverse criticism, your committee has no concern. When a Grand Master of Masons goes out of his way to characterize Southern Grand Lodges as "the Grand Lodge of Kentucky and her confederates," and writes of a committee of a Grand Lodge that it "sought to conceal naked ignorance and misrepresentation beneath a garment of vulgar obscenity" such an unworthy occupant of high position in the Masonic fraternity may well be left secure from attack by his own solution of race association, and subject only to the contemptuous indifference of every free-born Mason. It is not with him that the Grand Lodge of North Carolina has any controversy.

But when our sister jurisdiction, the Grand Lodge of Washington, bound to us by many ties, within whose borders many North Carolina Masons have sought affiliation, has yielded to the specious appeal of this leader, and has placed upon its records a resolution which expressly

recognizes the validity of negro lodges chartered by colored grand lodges, existing within the territory of which the Grand Lodge of Illinois and the Grand Lodge of Florida have exclusive jurisdiction, the duty devolves upon the Masons of North Carolina to speak with no uncertain sound.

Your Committee does not think it necessary to discuss the original legitimacy of the colored lodge formed from negroes who were initiated into the army lodge working with the British troops at Boston in 1775.

Many of the statements of the Washington committee are obscurely made, and, as your committee believe from their own independent investigations, are made without sufficient foundation. However this may be, the admission by the author of the report, which precedes the resolution, that the existence of negro lodges is in contravention of the "American doctrine of exclusive grand lodge jurisdiction," and that the negro lodges do not require that the candidate shall be "free-born," as it seems to your committee, places it beyond question that the action of the Grand Lodge of Washington was in direct and flagrant contravention of the well-recognized principles of Masonry.

The position of the Grand Lodge of Washington, as stated by Grand Master Upton, is: "The Grand Lodge of Washington has supreme jurisdiction over all matters of Ancient Craft Masonry in this State, and has the sole right to decide what lodges in this State she will regard as regular." The jurisdiction, therefore, is territorial, and not simply over the persons of Masons, and such is the well-established American doctrine. The authority thus claimed by the Grand Lodge of Washington for itself, it attempts to deny to the Grand Lodges of Illinois and Florida. The recognition of negro masons necessarily recognizes the regularity of the lodge in which they were professedly made Master Masons, and recognition of such lodge is a direct blow at the sovereign jurisdiction of the grand lodge within whose territory such clandestine lodges work.

The Grand Lodge of Washington followed to its logical conclusion their action, and proceeded to re-establish fraternal relations with the Grand Lodge of Hamburg, which had undertaken to institute a clandestine lodge in the State of New York.

The report of our eminent legal Bro. E. G. Reade, made on December 5, 1865, at the first communication held after the termination of the Civil War, states the position of the Grand Lodge of North Carolina clearly and unmistakably.

The report is commended to the consideration of the Grand Lodge. We shall make only one or two quotations:

"The Committee do not, in the abstract, question the propriety of making Masons of negroes. Our ancient landmarks are that he that may be made a Mason must be able in all degrees—that is, free-born, worthy and well qualified. It is not necessary that a candidate should be a white man. We teach that in every clime and among every people Masonry has existed. And to every human being our benevolence extends. We have our reasons for excluding females, minors, old age, irreligious libertines, the maimed and disabled, the ignorant, the immoral and the profane. So important is this principle of perfect fellowship, that, although a lodge were composed of a thousand members, one single member may exclude a candidate with whom he cannot have this perfect fellowship.

"If Masonry exists in Africa, and white men were, for any cause, excluded from the intimate relations which we have described, it would be unwise to thrust white men upon the fraternity in Africa. It would be very proper to inaugurate measures to remove the prejudice but, without such removal, to set it at defiance, would have no other effect than to destroy Masonry. So, here in the South, while there is no prejudice against the negro as such, yet there is such prejudice against assuming the intimate relations of Masons, that, to admit them to our order, would be, inevitably, to destroy it. Many reasons might be urged why it is so; but it is sufficient to know that the fact exists. And, while the fact exists, the introduction of negroes into our lodges would obliterate Masonry in the South.

"We know that Masonry is not only close in fellowship, but it is perfect in morals, and intricate in science. And, we know that the negroes of the South are wholly incompetent to embrace it. They are ignorant, uneducated, immoral, untruthful, and, intellectually, they are more impotent than minority or dotage—both of which we exclude. It would be rare if any locality could furnish the requisite number of sufficient capacity to open a lodge. Therefore, to have lodges exclusively of negroes, would be dangerous to the high character of our order. And, to associate them in lodges with our white brethren, would be impossible."

The contention that the doctrine of exclusive Grand Lodge Jurisdiction cannot be logically applied to test the regularity of negro lodges, seems absurd. If such exclusiveness if ever to be enforced, it must have been in effect when territory of Illinois and Florida were invaded, and

the clandestine lodges organized. Whatever might have been the legitimacy of the parent lodge (and God forbid that their regularity should be admitted) a lodge or Grand Lodge formed within another jurisdiction without authority of the Grand Lodge of such Jurisdiction, in the United States at least, is irregular and clandestine. And to say there has been no invasion of territory because negro lodges have practically confined themselves to using such material as white lodges will not accept, is unworthy of the name of argument, and degrading to the institution of Masonry.

The negro race is rapidly becoming free-born. The main safe-guard against the introduction of its members into the Masonic Fraternity is to preserve with jealous care the inviolability of the doctrine of exclusive Grand Lodge Territorial Jurisdiction. If this bulwark shall be basely surrendered, (as it appears to your committee has been done by our brethren in Washington), lodges working under the authority of distant grand bodies, and formed for the express purpose of receiving candidates who could not enter regular lodges, and which can have no sufficient means of guarding their creatures from intrusion of the unworthy, will spring up within every jurisdiction, and the seeds of disruption and total ruin in the Masonic Order will have been sown.

Since this report was written we have received from the Grand Master a printed communication addressed to him by Grand Master Upton, which arrived today.

The letter does not contain anything which is not in effect presented in the report made to the Grand Lodge of Washington, and in the letter to the Grand Master of New York, and does not affect our conclusion.

It seems to the committee to be idle for Grand Master Upton to say that the Grand Lodge of Washington has not recognized any negro Grand Lodge, when it has expressly recognized as entitled to Masonic fellowship a negro, belonging to a colored lodge, organized under and obeying the edicts of the colored Grand Lodge of Illinois. No Mason can be legally recognized unless he was initiated in a regularly constituted lodge of Master Masons duly assembled; and no lodge can be "regularly constituted" which owes allegiance to a clandestine Grand Lodge.

To recognize the Mason, is to pass upon the regularity of the lodge and Grand Lodge to which he belongs and owes allegiance. The report of the committee of the Grand Lodge of Washington then, found it necessary to defend the legality of the colored lodge instituted in Massachusetts at the close of the last century, and the

lodges and Grand Lodges springing from it. It is not true that the Grand Lodge of North Carolina is making an attack upon the "independence and autonomy of the Grand Lodge of Washington." That Grand Body has the power to recognize negro Masons, (though we believe it has violated the landmarks of Masonry in so doing) just as it has the power deliberately to insult a large majority of Masons in the United State. But it surely cannot object if, in selecting negroes as its Masonic brethren, it thereby cuts itself off from all association with all Grand Lodges, who believe its action subversive of the foundations of Freemasonry.

Your committee, therefore, without extended presentation of their reasons, which are almost self-evident, and which it will be a useless consumption of the time of the Grand Lodge further to set forth, are of the opinion that so long as the resolutions of June, 1898, remain upon the records of the Grand Lodge of Washington, the Masons in North Carolina can have no fraternal relations with the Grand Lodge of Washington, nor with the Masons under its jurisdiction. We, therefore, respectfully recommend the passage of the following resolution:

Resolved, That the Grand Master of Masons in North Carolina be directed to notify the Grand Master of Masons in Washington that the Grand Lodge of North Carolina has suspended all fraternal relations and Masonic intercourse with the Grand Lodge of Washington; that its representative near this Grand Body be requested to withdraw his credentials, and the representative of the Grand Lodge of North Carolina near the Grand Lodge of Washington is requested to return his credentials, and is no longer empowered to represent this Grand Body near that Jurisdiction.

Resolved Further, That the North Carolina lodges are instructed not to admit to Masonic intercourse any Mason who is a member of any lodge working under the Jurisdiction of the Grand Lodge of Washington.

Resolved Further, That this step is taken not in anger, but in sincere pain, and that the Masons in North Carolina earnestly trust that the Grand Lodge of Washington may in its discretion see fit to rescind its former action and to return to the ancient landmarks, which, in the opinion of the Masons of North Carolina, have been invaded.

Resolved Further, That the Secretary of this Grand Body, transmit a certified copy of these resolutions to the Grand Secretary of the Grand Lodge of Washington.

FABIUS H. BUSBEE, *P.G.M.*
 WILLIAM H. CARROLL,
 P. M. PEARSALL,
 M. L. MAUNEY,
 A. A. HICKS,
 DAVID BELL,
 JAMES C. MCRAE,

Committee on Jurisprudence.

(1899. Grand Lodge of North Carolina, pp. 63 to 68.)

That report so splendidly states the idea of Masonic sovereignty, which proceeds upon the principle of exact justice that each Masonic Grand Body is supreme within its own territorial jurisdiction, and that likewise it recognizes as supreme every other Masonic Grand Lodge within such other territorial jurisdiction, and that Masonic acts and regularity are to be tested by the authority of the Grand Body having authority within such jurisdiction.

This same principle was recognized in 1923, when a dispute arose between the Grand Royal Arch Chapter of North Carolina and the other Grand Chapters of Royal Arch Masons of the United States, (with one exception) on the one side, and the Grand Royal Arch Chapter of Texas on the other side, over the question of invasion of territorial jurisdiction of Royal Arch Masonry embracing the City of Mexico. The resolution of the Grand Royal Arch Chapter of North Carolina severing fraternal relations with the Grand Royal Arch Chapter of Texas, (which the Grand Royal Arch Chapter restored in the following year, after the amende honorable by the Grand Chapter of Texas, for its act) was penned by the writer, who recalled from memory the principles and spirit of the above report. That resolution, through fortunate circumstances, was given wide circulation, and its language practically adopted in toto by many of the other forty-eight Grand Royal Arch Chapters. Happily each of these resolutions have long since been repealed as all true Masons recognize and scrupulously observe territorial Masonic Sovereignty of all other Masonic Grand Bodies.

Hoping that those searching these pages for Masonic information may find herein recorded the rulings of the Grand Lodge that they seek, and that it may assist the Masters in their work, this work is now presented to the Craft.

Faithfully and fraternally,

ALEXANDER B. ANDREWS,

Past Grand Master, (1916).

February 2, 1926.

DIGEST

595. That the officers who are re-elected to serve a second term should be regularly installed. (1907. Dec. 24, Winston, G. M.). Committee on Jurisprudence adds: Strictly in accordance with ruling of Grand Master Munson in 1877. See Masonic Digest No. 342. (1907. Rep. 116).

596. That when the lodge orders the By-laws transcribed in a new book, no member has the right to object to his name being transcribed on account of amendments. (1907. Dec. 24. Winston, G. M.)

597. One whose progress is arrested after taking the Entered Apprentice degree does not have to wait twelve months before he can have another ballot for advancing. There is no time limit in such cases. (1907. Dec. 24. Winston, G. M.) Committee on Jurisprudence adds: Re affirms decision No. 520 of Masonic Digest. (1907. Rep. 116.)

598. The fact that a man does not live with his wife does not render him ineligible to the degrees; but great care should be taken and the lodge satisfied that such separation is not his fault and not assented to by him. (1907. Dec. 24. Winston, G. M.)

599. A petition once received cannot be withdrawn except by consent of the lodge. Unless there are some exceptional facts justifying it, such consent should not be given. It is better for petitions to take the regular course. (1907. Dec. 24. Winston, G. M.) Committee on Jurisprudence adds: Law seems clearly settled. See Article X, Section 8, Code of 1897, also decisions Nos. 70, 165, 366 and 565 of Masonic Digest.

600. That a Master of a lodge may of his own motion, order the ballot on the question of advancing a candidate. (1907. Dec. 24. Winston, G. M.)

601. Before the degrees are conferred by one lodge at the request of another, any member of the lodge conferring the degrees can demand a ballot on advancement. If there is any reason why the degree should not be conferred the lodge asking that the degree be conferred should be informed of the fact that it may take such action as the case calls for. (1907. Dec. 24. Winston, G. M.) Committee on Jurisprudence adds: In this connection your Committee is of the opinion that by slightly changing the language, the meaning may be made clearer, and we state it as follows: B Lodge requests C Lodge to confer the degrees upon a candidate elected by it. Before the degrees are conferred, can a member of C Lodge object to the giving of the degrees? He can, but such objection must be communicated to B Lodge, in which ballot for advancing or raising must take place. Pending such, C Lodge would, of course, suspend proceedings. Of course, C Lodge could at any time, for reasons of its own, decline to confer the degrees. (1907. Rep. 116.)

602. A person is ineligible to the degrees of Masonry whose thumb and forefinger of his right hand are missing. (1907. Dec. 24. Winston, G. M.) Committee on Jurisprudence add: See decisions 429 and 575 of Masonic Digest. (1907. Rep. 116.)

603. That a man's legal residence is his Masonic residence. (1907. Dec. 24. Winston, G. M.) This decision was overruled, the Committee on Jurisprudence holding: This decision (No. 9) is overruled, as contrary to Masonic law. It is "That a man's legal residence is his Masonic residence." To enable a lodge to entertain a petition for degrees one must have resided twelve months within the jurisdiction of the Grand Lodge, and to which the peti-

tion is presented. To acquire a legal residence, under the present State law entitling a person to vote, requires two years' residence in the State, and six months' residence in the county. For the service of process a different law obtains. Surely it was not the intention of the framers of the Constitution of the Grand Lodge to leave the "residence" to the statute law of the State. We construe the word "residence" and "resided" in Article 10, Section 5, of the By-laws of the Grand Lodge to mean actual, bona-fide residence. That is, where one lives, and not necessarily where one might have his legal or political residence, and certainly not where one may be a transient or sojourner. (1907. Rep. 116-117.)

604. That lodges in a county cannot abolish our lines as to jurisdiction. (1907. Dec. 10. Winston, G. M.) Committee on Jurisprudence add: See decisions Nos. 109 and 375 of Masonic Digest. (1907. Rep. 117.)

605. A candidate is elected to the degrees in Masonry. A member of the lodge who is absent cannot demand a new ballot. (1907. Dec. 11. Winston, G. M.) Committee on Jurisprudence add: Very clearly laid down in decision 488 of Masonic Digest. (1907. Rep. 117.)

606. Masonic law does not forbid a lodge meeting in the same hall which is used by another fraternal order. Every lodge should own its home. When such meetings are had, great care should be exercised to protect the secrets of the Order in all respects. (1907. Dec. 24. Winston, G. M.) Committee on Jurisprudence add: This decision is approved, but the lodge's attention is called to decision No. 296 of the Masonic Digest, by Grand Master Blount in 1875, where the Grand Lodge recommends separate halls when practicable. (1907. Rep. 117).

607. That it is not a Masonic offense for one brother not to pay another a debt. Every Mason will pay his debts when he can. A man who owes a brother Mason

and is able to pay him, should not retain membership in the lodge. These matters should all go to the Committee in Reference. (1907. Dec. 25. Winston, G. M.) Committee on Jurisprudence add: Has been before the Grand Lodge in decisions Nos. 319 and 552 of the Masonic Digest. (1907. Rep. 117.)

608. The fact that man is member of the Roman Catholic Church does not render him ineligible for the degrees of Masonry. We believe it would be greatly to the benefit of the Order, and certainly give that great body of zealous Christians a better idea of Masonry if more of its votaries joined our Order. (1907. Dec. 25. Winston, G. M.) Committee on Jurisprudence add: "By reference to decisions Nos. 8 and 278 of the Masonic Digest, it will be seen that this Grand Lodge has twice expressed itself, first in 1835 and again in 1874, upon this question. (1907. Rep. 117.)

609. Swiss Grand Lodge Alpina refused recognition. (1907. Rep. 92.)

610. Failure to set out sufficient statement to justify suspension, the Grand Lodge sustained appeal and reinstated brother appealing. (1907. Rep. 112.)

611. We approve the action of the Grand Master in refusing dispensation to set aside the law requiring twelve months' residence before a petition for the degrees can be entertained. Unless the consent of the lodge from whose jurisdiction the petitioner has removed has been obtained, such petition cannot be received, but when it has been obtained no dispensation is necessary. This is established law, and has been so laid down by Grand Masters Busbee, Noble and Royster in decisions Nos. 416, 511, 513 and 516 in the Digest of Masonic Law (Andrews) just issued by the Grand Lodge. (1907. Rep. 115.)

612. In the matter of dispensations requested, some of which were granted and others refused, for the shortening of the time to ballot upon candidates, we find that the Grand Lodge thus expressed itself: "Upon all such questions within proper jurisdiction, the best judgment and conscience of the Grand Master are the proper criteria of action. The facts and circumstances being in his possession, he alone is best qualified to judge of the question of propriety. Upon this view of the case, we sustain the action of the Grand Master in the premises, while a contrary decision and action upon equally conscientious motives would have been equally correct. Masonic law embraces not only the *lex scripta*, but *lex non scripta*. The latter includes in its circle the Grand Master's prerogatives, one of which is the power of dispensation; and when properly determined, is as sacred and inviolable as the former. The Grand Master is the custodian in the several jurisdictions of Masonic tradition. It is his duty to transmit this Code as pure as he received it." [Digest of Masonic Law No. 402, on page 94.] (1907. Rep. 115.)

613. In the matter of the complaint of the Grand Lodge of Virginia that this Grand Lodge has invaded its jurisdiction, your Committee find that this lodge has passed a set of resolutions, (see 1894 Proceedings, page 42, also Masonic Digest, decision No. 467), allowing lodges in adjoining states to receive petitions for degrees from residents of this State, where such lodges were nearer such applicants than the nearest lodge in this State, provided such other Grand Lodge of that State extended the same right to lodges of this State. The following is the statement of the action of the Grand Lodge of Virginia on this subject:

PROCEEDINGS GRAND LODGE OF VIRGINIA, 1892, PAGE 112
(Address of Grand Master W. H. Pleasants)

In the month of February, I had a communication from the Most Worshipful Grand Master of Masons in

North Carolina, complaining of the invasion of his territory by Lodge, No. 223, of this Jurisdiction. I immediately directed an investigation to be made by District Deputy Grand Master J. T. Deep. His report to me developed the fact that there was some ground for the charge. The Master of No. 223 was then directed to cease receiving petitions from residents of North Carolina. I invited the Grand Master of North Carolina to propose to his Grand Lodge the adoption of concurrent jurisdiction, as provided in Section 2 of our Digest. He expressed his approval of that action, and indicated his purpose to propose it to the Grand Lodge of North Carolina at its next communication. If concurrent jurisdiction be accepted, all possible ground will, in the future, be avoided.

In decision No. 478 of the Masonic Digest, we find brought forward the following decision by Grand Master Moye:

“The Grand Lodges of North Carolina and Virginia having adopted resolutions mutually agreeable touching the question of concurrent jurisdiction, a lodge in North Carolina may entertain the petition of a candidate living in Virginia whose residence is nearer said lodge than any lodge in his own State.” (1907. Rep. 117.)

614. Is it necessary for the lodge to take further action than to declare a brother expelled when he has disobeyed a legal summons?

ANSWER—Yes. There must be a regular charge made against him and reduced to writing. He must be served with a copy of the charge and specification, and a time set for the trial. A regular trial must be had, and after evidence heard a vote taken. (1908. Dec. 22. Liddell, G. M.)

615. “Does the Worshipful Master have the right to vote on an application for membership?”

ANSWER—Yes, it is his right and his duty to vote. It is the duty of all brethren present to vote on all applications unless excused by the lodge. (1908. Dec. 22. Liddell, G. M.)

616. The Master of a lodge has no right to lecture the member of the lodge who votes against a petition for degees. It is highly improper for him to do so. Each ballot is sacred. It is not proper to question the vote of any brother. (1908. Dec. 22. Liddell, G. M.)

617. We have an application from a man not twenty-one years old. Can we receive it just one month before he comes of age and act on it when he does become twenty-one years old?

ANSWER—No, every petitioner must state in his application that he is twenty-one years of age. (1908. Dec. 22. Liddell, G. M.)

618. Shall the minutes be read at the close of a special meeting as is done in all regular meetings?

ANSWER—Yes, the minutes of each meeting are more apt to be correct when read over in the hearing of those taking in the meeting. The law requires that they be read at the close of the communication. (1908. Dec. 22. Liddell, G. M.)

619. The Committee on Jurisprudence to which was referred so much of the address of the Grand Master as related to the office of Deputy District Grand Master, beg leave to report that they have carefully considered the subject, and have reached the following conclusion:

The Committee fully recognize the importance of the office and functions of the District Deputies, and believe that by a proper conception and performance of their full duty, a great forward impulse will be given to the cause of Masonry in this Grand Jurisdiction.

Your Committee are of the opinion that the original resolution providing for their appointment (Proceedings

1906, A. 76) confers upon the Grand Master the power to issue a General Commission investing them with the usual powers to visit lodges, to convene them in a General Convocation, and to rekindle a proper Masonic enthusiasm among the members of the Fraternity. The Grand Master is further empowered to grant a Special Commission, whenever he shall deem it necessary, to any District Deputy to make an investigation, or to perform any other Masonic Service, the final decision, of course, resting in the Grand Master.

We do not think it necessary to define with any more exactness the powers which may be conferred by the Grand Master, general or special, leaving the existing law unchanged.

620. I warn the Fraternity against the growing evil of asking for dispensations. They are asked for in every conceivable case. I have invariably refused to grant dispensations where the Masonic law is prohibitory, and have but seldom granted them where the law invites or permits. "The Grand Master is supreme" is an idea held in reverence by me, but the supremacy of the Grand Master and the good of the Craft can be maintained by citing within constitutional limits. A strict enforcement of the law which your wisdom writes, is best for Masonry. (1908. Liddell, G. M., page 20.)

621. I repeat with emphasis my recommendation of a year ago that the law requiring the Grand Lodge proceedings to be read in open lodge be complied with. And I also recommend that at least one regular communication of each subordinate lodge be set apart a "Code and Digest night" when the Master can have both read to the brethren for their information.

622. I believe that no question should be submitted to the Grand Master for decision until the lodge asking it certifies under seal that the officers have carefully examined the Code and Digest and do not find the ques-

tion decided in either. (1908. Liddell, G. M., page 21.) Committee on Jurisprudence adds: The Grand Master ought not to object that the answer to the question is so easily found. (1908. Rep. 80.)

623. Where a brother was suspended for twelve months and he perfected an appeal to Grand Lodge, which considered appeal after twelve months had expired, the appeal was dismissed as the term of sentence had expired and the brother was restored. (1908. Rep. 116.)

624. Where lodge notified members early in October of their indebtedness but did not suspend them for non-payment of dues until after October 31st, your Committee recommend that dues be not refunded as statute provides the payment of per capita tax on the members of each lodge as the membership stands on that date—October 31st. (1908. Rep., page 125.)

625. At the risk of being guilty of repeating what many a Grand Master has said, I will again call the attention of the officers of subordinate lodges to the fact that much useful and valuable information can be obtained by a careful study of the Masonic Code of North Carolina (containing the Constitutional and By-laws of the Grand Lodge), Andrews' Digest of the Masonic Law of North Carolina, and the printed Proceedings of each Annual Communication of the Grand Lodge, copies of which are furnished each lodge. I desire to remind Masters of lodges of the fact that the law requires the Proceedings of the Grand Lodge to be read every year in open lodge for the information and instruction for the brethren. In very many lodges this law is neglected, and I suggest that it be complied with or repealed.

626. Another law I wish to impress on the minds of the brethren. Section 17 of Article XVI of the By-laws of the Grand Lodge provides: "All communications to the Grand Master from subordinate lodges or members, concerning jurisprudence, shall be transmitted through

the Secretary under the seal of the lodge." This law is frequently violated.

627. QUESTION—In October, 1906, Brother "P" applied for membership to "S" Lodge, filing with his application a regular demit from Lodge at "A." Being well known by the members of "S" Lodge the petition was not referred to Committee of Inquiry, but, on motion, a ballot was taken on his petition when filed, and Brother "P" was duly elected to membership and signed the By-laws of "S" Lodge, and affiliated with this Lodge as a member until December, 1907, when a member of "S" Lodge raised the point that Brother "P" was not a member of "S" Lodge because the provisions of Section III of Article X of the By-laws of the Grand Lodge had not been complied with. I was asked to decide the question.

ANSWER—He is a member of "S" Lodge. The failure to refer the petition to a Committee of Inquiry was irregular, but it was no fault of Brother "P" and no question being raised for more than twelve months it is too late now to raise the question. Andrews' Digest, 498-499. (1909. Dec. 24. Gattis, G. M.)

628. QUESTION—Is a bastard eligible for the degrees in Masonry?

ANSWER—Yes, if otherwise worthy. The fact of illegitimacy alone would not debar him. (1909. Dec. 28. Gattis, G. M.)

629. QUESTION—Can a man be made a Mason by proxy?

ANSWER—No. (1909. Dec. 25. Gattis, G. M.)

QUESTION—A man is secretary and treasurer of a whiskey dispensary, does all the buying and has general oversight of the institution, but does not actually engage in dispensing the liquor. Is he eligible for the degrees?

ANSWER—Yes. His fitness is a matter that must be decided by each member of the lodge when he comes to

ballot. The Grand Lodge of North Carolina has in recent years sustained rulings of Grand Master Moye and Grand Master Clark that the simple fact of selling liquor is no Masonic offense and the Grand Lodge of 1904 (see Proceedings 1904, page 109, and 1905, page 32) having submitted an amendment to the Constitution as follows to the subordinate lodges: "Hereafter no man shall be eligible to membership in the Order who is engaged in the manufacture and sale of intoxicating liquors," and this amendment failing to be ratified by a sufficient number of the lodges, renders this decision mandatory. It is not my province to make or change the law, but to construe it as I find it. (1909. Dec. 25. Gattis, G. M.)

630. QUESTION—Does the loss of a big toe render a man ineligible?

ANSWER—No. (1909. Dec. 25. Gattis, G. M.)

631. QUESTION—Can a Mason, who is being tried for publishing an article that is libelous *per se* about a brother Mason, "justify" by proving the truth of the facts alleged in the publication?

ANSWER—Yes, he may offer any testimony that would be competent in a court of law. Its weight is a matter to be decided by each member of the lodge when he reaches his decision how to vote on the question of guilt or innocence. (1909. Dec. 25. Gattis, G. M.)

632. QUESTION—Is a man who has lost all the fingers on his left hand just above the knuckles, but whose thumb and enough of the hand to enable him to grasp any object in performing his work, eligible?

ANSWER—Yes, provided he is otherwise qualified and physically able to earn a livelihood. (1909. Dec. 26, Gattis, G. M.)

633. QUESTION—It is legal for a Mason to vote by proxy on a business proposition pending in the lodge?

ANSWER—No. (1909. Dec. 26. Gattis, G. M.)

634. QUESTION—A member of “A” Lodge gets his dimit to join “B” Lodge. “B” Lodge blackballs him. Is he not a member of “A” Lodge, and liable for dues during the time he had the dimit?

ANSWER—He is a member of “A” Lodge if he stated in his application for dimit that he did so for the purpose of affiliating with “B” Lodge; otherwise he is a member of no lodge and owes no dues. (1909. Dec. 26. Gattis, G. M.)

635. QUESTION—A man lost the two middle fingers of his right hand. Is he eligible?

ANSWER—No. He cannot give the S. G. of A. M. M. (1909. Dec. 25. Gattis, G. M.)

636. QUESTION—Has the Reference committee the right to investigate and settle charges preferred against a brother for a Masonic offense?

ANSWER—No. The charges must be tried by the lodge. It is the duty of the Reference committee to settle and adjust differences between individual members of the lodge. (1909. Dec. 25. Gattis, G. M.)

637. QUESTION—Is a Master Mason’s widow who has remarried, but who is not now living with her husband, entitled to a Widow’s certificate?

ANSWER—No. She was entitled to it until her second marriage. By remarrying, she forfeited all rights as a Master Mason’s widow. (1909. Dec. 25. Gattis, G. M.)

638. QUESTION—Our lodge meets monthly on Saturday on or before each full moon. Can we act on a petition at the next regular meeting after it is received if it has not been a full calendar month?

ANSWER—Yes. (1909. Dec. 25. Gattis, G. M.)

639. QUESTION—“A” Lodge requests “B” Lodge to confer F. C. and M. M. degrees on an E. A. of “A” Lodge. Members of “B” Lodge have reason to believe the candi-

date should not be advanced. Can "B" Lodge demand a ballot as per Section 14 of Article X of By-laws?

ANSWER—No ballot can be had on his advancement in "B" Lodge. "B" Lodge is not required to confer the degrees on request of "A" Lodge. Its doing so is simply an act of courtesy and it may for good reason refuse to do so. If members of "B" Lodge have reason to believe the E. A. unworthy to be advanced, "B" Lodge may notify "A" Lodge, where a ballot may be had, if desired by "A" Lodge. Should "A" Lodge vote to advance the E. A., "B" Lodge may still decline to confer the degrees. No lodge ought to confer degrees, as a courtesy to another lodge, on a candidate who would not be admitted to the lodge as a member after the degrees had been conferred. (1909. Dec. 27. Gattis, G. M.)

640. QUESTION—What is meant by a "legal" summons; that is, if a Mason is summoned to appear at a lodge one hundred miles away, is he compelled to go?

ANSWER—Yes, if within the length of his C. T. What is within the length of his C. T. depends on the circumstances of each case; that is, on the distance to be traveled, necessary expense of the trip, condition of health, and financial ability of the party summoned. (1909. Dec. 27. Gattis, G. M.)

641. QUESTION—Is there any other way for a brother who has been made a Master Mason, by request, in a lodge other than the one he petitioned for the degree, to sign By-laws, except by coming to the lodge that received the petition?

ANSWER—No. It has been held that he cannot sign by proxy. Andrews' Digest, No. 184. Grand Master Liddell called attention to one phase of this question in his address in 1905, (see decision No. 17, Grand Lodge Proceedings, 1925, page 84), but no definite action was taken by the Grand Lodge, though the Committee on

Jurisprudence recommended action. (1909. Dec. 27, Gattis, G. M.)

642. QUESTION—Can a lodge entertain the petition of an alien who has resided twelve months in its jurisdiction?

ANSWER—Yes, if he is otherwise qualified. [Andrews' Digest, No. 410.] (1909. Dec. 28. Gattis, G. M.)

643. QUESTION—A and B, members of investigating committee, report favorably on petition of applicant for degrees. C, the other member of the committee, reports adversely. (1) Is the petitioner entitled to the ballot? (2) And may C retire from the lodge room until the ballot is taken and the result declared?

ANSWER—(1, Yes; 2, No.) Every petition when reported from committee must be ballotted on, and every member present should vote on it. If C knows enough about the candidate to cause him to make any unfavorable report on his petition it is his duty to vote in accordance with his honest convictions, and no Mason has the right to question his vote. (1909. Dec. 28. Gattis, G. M.)

644. QUESTION—Does a Master Mason's obligation extend to a brother Master Mason's sister-in-law?

ANSWER—No. (1909. Dec. 28. Gattis, G. M.)

645. QUESTION—Has the Master of a lodge the right, without any action on the part of the lodge, or even knowledge thereof, to restore to membership one who has been excluded for the non-payment of dues, his dues remaining unpaid at the time of the attempted restoration?

ANSWER—No. A member excluded for non-payment of dues can be restored only by complying with the By-laws of the lodge. (1909. Dec. 28. Gattis, G. M.)

646. QUESTION—Should a Masonic lodge prefer charges against a Mason for making an assault on a profane, when the Mason has plead guilty to the indictment in the Superior Court, paid the fine imposed by the court and expressed regrets for the occurrence to the lodge?

ANSWER—No. (1909. Dec. 28. Gattis, G. M.)

647. QUESTION—In a Masonic trial, the ballot, on the question of “guilty” or “not guilty,” stood ten for conviction and ten for acquittal. To verify the result of a second ballot was taken and the vote stood as before. I was asked what the ballot showed.

ANSWER—The brother was acquitted, a majority vote being necessary to convict. [Andrews’ Digest, No. 283.] (1909. Dec. 28. Gattis, G. M.)

648. QUESTION—Can the lodge at “P” entertain a dimitted Mason’s petition for membership—the Mason living out the State a large portion of the year, but claiming “P” as his home? He has no family.

ANSWER—Yes. (1909. Dec. 29. Gattis, G. M.)

649. QUESTION—A petition is received, referred and acted on in the regular way and the ballot is “clear.” Before presenting himself for the initiation the petitioner commits an act that if done before would have caused his rejection by the lodge. Can the lodge demand a new ballot? If not, is there any way it can prevent his initiation?

ANSWER—There seems to be no warrant for taking a ballot at that stage, but any member of the lodge has the right, and if the facts are known to him, it is his duty to object to the initiation of the applicant and have his object noted on the minutes, and until this objection is withdrawn, he cannot be initiated. No man should be admitted into the lodge without the unanimous consent of all its members. Code, Article XII, Section, 5. (1909. Dec. 29. Gattis, G. M.)

650. QUESTION—A young man who has lived in “B” for several years and removed to “A”, a nearby town in the same county, about three months ago, wishes to petition the lodge at “B.” Can his petition be received?

ANSWER—Yes, but the lodge at “A” must give its consent. See last paragraph of Article X, Section 5, By-laws Grand Lodge of North Carolina. The amendment of the first paragraph of this Section by the Grand Lodge of 1906, (see Grand Lodge Proceedings, 1906, page 64, and 83, and 84), seems to establish the fact that the lodge of former residence has jurisdiction over a profane for twelve months from date of his removal, but the paragraph not amended provides that one petitioning another than the nearest lodge must obtain the consent of the lodge nearest his present home. (1909. Dec. 29. Gattis, G. M.)

651. I was asked by Winston Lodge, No. 167, to amend the decision of Grand Master Liddell (page 20, Proceedings of the Grand Lodge, 1906), in regard to concurrent jurisdiction of the lodges at Winston and Salem, so as to make it read: “Any person who resides in Salem and wishes to join Winston Lodge shall first petition Salem Lodge and vice versa.”

I declined to interfere for the reason that if concurrent jurisdiction exists between these two lodges, as it seems to do by mutual agreement, it may be terminated by either lodge at any time. If it exists by action of the Grand Lodge I ought not to interfere. I advised Winston Lodge that I would call the matter to the attention of the Grand Lodge at this meeting. (1909. Dec. 29. Gattis, G. M.)

652. The most friendly and cordial relations exist between this Grand Lodge and the Grand Lodges in our Fraternal Correspondence. Only one complaint has reached me from Foreign Jurisdiction, and that was in regard to the action of a North Carolina lodge which had accepted and initiated a man who had first been rejected

several years ago by the same North Carolina lodge, afterwards moved to another Grand Jurisdiction and on petitioning a lodge there was rejected by it. During the year 1908, while still residing in the jurisdiction of the lodge in the other State, he again petitioned the lodge at his old home in North Carolina, stating, as I am informed, in his petition, that he had not been rejected by any other lodge. On complaint made to me through the Grand Master of Virginia I directed the North Carolina lodge to arrest his advancement until all the facts could be ascertained. Upon further investigation it appears that the complaint of the Virginia lodge was made under a misapprehension of the facts. The brethren of the Virginia lodge had been informed that the North Carolina lodge had acted on the old petition, and did not know that he had filed a new petition claiming to be a resident of North Carolina. The Grand Lodge of Virginia makes no claim to perpetual jurisdiction over rejected material and does not claim jurisdiction over a profane after he has left the State. After ascertaining the true facts, the Virginia lodge withdraws all objection except that the petitioner was, at the time of his application to the North Carolina lodge, and is still an actual, bona fide resident of Virginia. Under our law as construed by the Grand Lodge in 1907, holding Masonic residence to be where the person actually resides, and that Masonic residence is not the same as civil residence, the lodge in this State did not have jurisdiction. However, as he has already been initiated and passed by the North Carolina lodge, I am inclined to think the North Carolina lodge should be permitted to raise the candidate, if after being advised of all the facts in the case, it is of opinion he is a fit person to be made a Master Mason. (1909. Dec. 31. Gattis, G. M.)

653. On the 19th day of March last, I received a letter from Bro. Leon Cash, District Deputy Grand Master of the Twenty-first District, informing me that members

of Salem Lodge, No. 289, at Winston-Salem, N. C., had been in communication with a Mr. Alexander, representing M. W. Bayliss, of Washington, D. C., Sovereign Grand Commander of the Supreme Council of the Sovereign Grand Inspectors General Ancient and Accepted Scottish Rite of Freemasonry of the United States of America, their territories and dependencies, and had invited him to come to Salem for the purpose of conferring the Scottish Rite degrees on members of Salem Lodge, and that a representative of the Ancient and Accepted Scottish Rite of the Southern Jurisdiction of the United States had informed them that if they received the degrees from Bayliss, or his representative, it would be in violation of By-laws of the Grand Lodge of North Carolina (Section 10 of Article 16) interdicting Cerneau Masonry. I was asked through Brother Cash, if it were lawful to receive the Scottish Rite degrees from the body represented by Bayliss. Not being sufficiently informed as to the contentions between various Scottish Rite bodies, I wrote Brother Cash to confer with Past Grand Master Walter S. Liddell, whom I knew to be a Scottish Rite Mason, and be guided by his advice. Brother Liddell, who was at Winston-Salem, informed the Salem Lodge that it would be a violation of our By-laws against Cerneauism to receive the Scottish Rite degrees from the Bayliss organization, and the Salem brethren were guided by his advice and did not receive the degrees from Bayliss, or his representative. Bayliss and Alexander then came to see me at Hillsboro, and asked me to change my position, but I declined to do so, or to take any further action until the question should be again brought before me, but told them I would report my action to the Grand Lodge at this meeting for its consideration. On the 6th day of May, I received a letter from Bro. Edward D. Stemple, Secretary of Salem Lodge, enclosing the following resolution passed by Salem Lodge, and asking its consideration:

RESOLUTION OF SALEM LODGE, NO. 289

Whereas, There are three Scottish Rite bodies in the United States of America, one known as the Supreme Council for the Northern Jurisdiction; one known as the Supreme Council for the Southern Jurisdiction, and one known as the Supreme Council for the United States of America, etc., and

Whereas, All the bodies claim to be regular and legitimate Scottish Rite Powers and as Master Masons in good standing under the jurisdiction of the Grand Lodge of Free and Accepted Masons in the State of North Carolina, desire to receive the degrees of the Scottish Rite under regular and legitimate authority, and

Whereas, These brethren, after exhaustive investigation, have reached the conclusion that the Supreme Council for the United States of America, etc., was and is the only regular and legitimate Scottish Rite authority in the United States, and

Whereas, Bro. W. S. Liddell, a Past Grand Master and the Deputy for the Southern Supreme Council, in the State of North Carolina, asserts that brethren in the above named State can only receive the Scottish Rite degrees from him or from bodies of the Southern Jurisdiction, and that Supreme Council for the United States of America, etc., is an irregular body with which regular Masons in North Carolina cannot connect themselves without violating the laws of the Grand Lodge of North Carolina, therefore, be it

Resolved, That in order to settle this question of legality in a regular and legitimate manner with due regard for rights of all Masons wherever dispersed; therefore, Salem Lodge, No. 289, under the Jurisdiction of the Grand Lodge of North Carolina, hereby respectfully petitions the Grand Master of Masons in the State of North Carolina to refer the entire Scottish Rite question to the Committee on Masonic Jurisprudence in the

Grand Lodge for investigation and recommendation, and be it further

Resolved, That the said Committee on Masonic Jurisprudence be directed to invite the representatives of these various Scottish Rite claimants to appear before it within a reasonable time, there and then to testify upon their Masonic honor relative to the claims of the Rite they represent, with the sole and only purpose of rendering a just and impartial report for the information and government of all regular Masons in the State of North Carolina.

Fraternally submitted,

I promptly informed Salem Lodge, No. 289, that I would take no further action on this matter, but refer the whole matter, together with their resolution, to the Grand Lodge at this, its Regular Communication.

I recommend that the resolution and the whole question be referred to a proper committee for its consideration and report. If the matter was not definitely settled by the action of Grand Master Gudger in 1891 and the subsequent resolution of the Grand Lodge in 1892 against Cerneauism, then some additional legislation is needed. It does not seem to be so much a question with us as to which body is historically right in its claims, but whether by connecting himself with either one of them a Mason in this jurisdiction cuts himself off from the privilege of visiting lodges in other jurisdictions and fellowshipping with the brethren there, as well as with some of the brethren in our own State. I understand the claim of the Supreme Council of the United States of America, its territories and dependencies, to be that it is not a Cerneau body. These are matters that should be carefully investigated, as this Grand Lodge ought not to take any false position on this important question. So far as I have heard, no further attempt has been made by the Scottish Rite Council, headed by Bayliss as Grand Commander, to form consistories in the Jurisdiction, and

in justice to him and his representatives, I will say that the request was first made to him by a member or members of Salem Lodge.

654. We understand that Grand Master H. A. Gudger passed upon the questions raised in the address relating to the Scottish Rite bodies.

The Supreme Council of the Southern Jurisdiction of Ancient and Accepted Scottish Rite have published his decision and for many years have acted upon it. However, we recommend that a special committee be appointed to take under consideration all the matter in the address relating to this important subject. (1909. Com. 107.)

655. That in the case of any child who is about to be, or has been placed in a home to which the parents or friends object, or interfere or induce the child to leave, the child and any other child or children of the same family who may be under the care of the Oxford Orphan Asylum shall be returned to those objecting, unless after investigation by the Field Worker or by a member of the Board, in co-operation with the Orphan Asylum Committee or other officers of the proper local Masonic Lodge, the home is found to be unsuitable.

656. It is our opinion that remarriage of fathers or mothers of children admitted to the Oxford Orphanage should end our having jurisdiction over such children, for they are orphans no longer and, therefore, are not proper subjects for orphanages. They should be returned to their parents unless after an investigation, their homes are found to be unsuitable. We urge that the subordinate lodges be more careful in their investigation of the needs of orphans before recommending to the Orphanage authorities that they be admitted. (1909. Rep. 88 and 129.)

657. Where the charge against a brother had been settled in a former trial for an offence charged, of which

he was acquitted by the lodge, the action of the lodge in indefinitely suspending should be reversed. (1909. Rep. 147.)

658. Where evidence sustains charges and specifications for false swearing or perjury, the action of lodge in expelling was sustained. (1909. Rep. 147.)

659. Where the record on appeal does not show what action was taken by the lodge, and the committee is unable to act upon the appeal with any degree of satisfaction, the Grand Lodge may order the lodge to transmit a complete record of the charges, specifications, trial and verdict. (1909. Rep. 147.)

660. The committee to whom was referred that portion of the Grand Master's address referring to efforts being made to introduce or establish lodges of Scottish Rite Masonry within the Jurisdiction of this Grand Lodge, through and by authority of an organization styled, "The Supreme Council, A. A. S. R. for the United States of America, their territories and dependencies, Orient of New York," have had the matter under consideration, and beg leave to submit the following report:

The only Scottish Rite Grand Organizations in the United States that ever have been or are at present recognized by the Grand Lodge of North Carolina, are those of "The Supreme Council of the Thirty-third Degree, A. & A. Scottish Rite of the Northern and Southern Jurisdiction of the United States."

"The Supreme Council A. A. S. R. for the United States of America, their territories and dependencies, Orient of New York," a branch of what is generally termed Cerneauism, has never received any recognition by this Grand Lodge. On the contrary, it has been repeatedly repudiated by Grand Masters and by Jurisprudence Committees, who have passed on the question on different occasions heretofore.

The first allusion to "Cerneauism" that we have been able to find in the Proceedings of the Grand Lodge of North Carolina was in 1852, when the following proceedings were had:

Resolved, That this Grand Lodge does not consider that the "Supreme Council of Sovereign Grand Inspectors General of the Thirty-third Degree of the Scottish Rite," can lawfully constitute lodges by symbolic Masonry in the State of Louisiana, within the jurisdiction of the Grand Lodge of Louisiana. [Note—This is not the Supreme Council Sovereign Grand Inspectors General, of the Thirty-third Degree, Southern Masonic Jurisdiction, over which General Albert Pike and Dr. Mackey presided, but is the so-called Cerneau Rite which did establish symbolic lodges in the State of Louisiana.] (1852. Rep. 56.)

Resolved, That the fact that they are constituted as lodges of the Scottish Rite, will make no difference.

Resolved, That lodges so constituted are not entitled to be recognized as legally constituted, and the members of such lodges, and those initiated therein, are not lawful brothers, nor entitled to visit and communicate with this Grand Lodge and its constituent lodges. Again in 1869, Grand Master Vance in his annual address said:

"Last year, information was given to this body of a clandestine body of men within the Jurisdiction of the Grand Lodge of Louisiana, styling themselves 'Scottish Rite Masons.' Later intelligence brings us tidings that this spurious body has been recognized by the Grand Orient of France, contrary to all law and usage. The Grand Lodge of North Carolina should at once sever all fraternal relation between the two, until the Grand Orient ceases to countenance clandestine and spurious Masonry."

At the same session of the Grand Lodge the following resolutions were adopted:

“In the matter of the Grand Orient of France, your committee recommend that the Grand Lodge approve the action of the Grand Lodge of France and take similar steps. The action of the Grand Lodge of Louisiana is contained in the following resolution:

Resolved, That all Masonic correspondence and fraternal relations between the Grand Lodge of Louisiana and the Grand Orient of France cease and be discontinued, and no Mason owing allegiance to that Grand Body is recognized as such in this Jurisdiction.”

The most recent action of this Grand Lodge, bearing on this subject and the most emphatic resolution adopted was in 1892, when Grand Master Gudger expressed himself in decided terms on the question of “Cerneauism.” The committee to whom the Grand Master’s address was referred were equally emphatic in their report.

“Cerneauism has not yet made its appearance in this Grand Jurisdiction, though I have reason to suspect that efforts will be made to introduce it.

“In the absence of Grand Lodge action, I have determined to interdict it. Now that the Grand Lodge is in session, I present the question to your consideration. In my judgment this Grand Lodge should emphatically condemn. It has given much trouble in some of our state jurisdictions; in one (Iowa) going so far as to invoke the assistance of the civil courts to more substantially enforce its establishment. And in Ohio it has gone so far as to set up a Grand Lodge of its own, and impudently ask the Supreme Court of the State to decide that it was an independent body. Such conduct is reprehensible in the extreme, shows a rebellious spirit and a total disregard of the very fundamental principles of Masonry. While our actions on all matters should be of a conservative character, it should, in this instance, be firm and decided, and it should be a Masonic offence for a Master Mason to join them.”

The committee to whom was referred that part of the Grand Master's address relating to Cerneauism, submits the following report and recommendations:

“Whereas, The Grand Lodge of North Carolina is the sole custodian of the whole system of symbolic Masonry in the State of North Carolina, and

“Whereas, After investigation, your committee finds that the organization known as the Cerneau body has, in other jurisdictions, been productive of discord and disturbing the peace and harmony of the Craft, and interfered with the legitimate jurisdiction of the established Grand Bodies in other states, and has held communication with the Grand Orient of France, an atheistic clandestine Grand Body, therefore, your committee respectfully recommend the adoption of the following resolutions:

“1. No lodge in this Grand Jurisdiction shall recognize or hold communication with any Cerneau body, or its members, and shall discountenance the establishment of any of its branches in this jurisdiction.

“2. That in the Tyler's O. B. be included, ‘I am not a member of, or in communication with, any body of the so-called Cerneau Scottish Rite.’

“Your committee has gone more fully into this matter than may be deemed necessary, but as former ruling of Grand Masters and resolutions as adopted by the Grand Lodge are laws in this Grand Jurisdiction, we have deemed it proper to give the matter the fullest consideration.

“Your committee does not believe that the organization claiming the title of ‘The Supreme Council A. A. S. R. for the United States of America, their territories and dependencies, Orient of New York,’ is entitled to Masonic recognition by the Grand Lodge of North Carolina.

“The resolutions adopted in 1892 are still in force, and are binding on all Masons in this Grand Jurisdiction, and will so continue in force until repealed or modified.

“Your committee does not believe that the introduction of ‘Cerneauism,’ masquerading under whatever name, into this Grand Jurisdiction, would be attended with any good results. Already has the effects of ‘Cheap Masonry,’ ‘Modern Improvements,’ and ‘Revisions of Lectures,’ been felt in this State, and these effects have not been ‘to the good’ either.

“Masonry is an ancient institution, and it is ‘not in the power of any men or body of men’ to make innovations into its organization. We are often admonished ‘guard well the outer door.’

“This admonition is just as applicable to the question under consideration as it is to the Tyler’s room of a subordinate lodge.

“Your committee sees no reason why there should be any modification of the law as it is now recorded in this State.” (1909. Rep. 148-150.)

661. QUESTION—A candidate elected to take the degrees in Masonry was duly prepared and conducted to the lodge. At the proper time and in due form the obligation of an E. A. was begun by the Master of the lodge and, at the first use of the word “swear” in administering the obligation, the candidate, for and on account of conscientious scruples, declined to swear, and asked to be permitted to affirm instead. The Master ruled that the candidate must be “sworn on the Holy Bible,” and the candidate, still declining to swear, was led from the room. I was asked if the candidate could be allowed to “affirm” instead of being required to “swear.”

ANSWER—No; he must be sworn upon the Holy Bible. (1910. Dec. 18. Gattis, G. M.)

662. QUESTION—I was asked if it were unlawful for a brother of a deceased non-affiliate Mason to have the Square and Compass on the gravestone of the non-affiliate?

ANSWER—I know no law, Masonic or civil, to prevent it. (1910. Dec. 18. Gattis, G. M.)

663. QUESTION—When a member has asked and received a dimit, has he the right to sit in the lodge and vote upon any and all questions that may come up?

ANSWER—If his application for dimit conforms to the requirements of the resolution of the Grand Lodge of 1906, (see Andrews' Digest, No. 594), and his application for membership has not been accepted in another lodge, yes. If his application was not, as therein provided for, his membership terminated at the time the dimit was granted by a vote of the lodge, and he should not vote on any question after that time. (1910. Dec. 18. Gattis, G. M.)

664. QUESTION—When a number of Masons have asked and received dimits for the purpose of forming a new lodge, have they the right to remain in the lodge and vote upon their own application for recommendation for a new lodge?

ANSWER—They ought not to vote on that question as it is one in which they are personally interested. (1910. Dec. 18. Gattis, G. M.)

665. QUESTION—Is gambling a Masonic offense?

ANSWER—Yes, (see Andrews' Digest, No. 433.) (1910. Dec. 18. Gattis, G. M.)

Unanimous recommendations of the Philadelphia (1909) Conference of Grand Masters are as follows:

666. (1) The name of the petitioner should be subscribed in full in petition. (1910. Rep. 23 and 89.)

667. (2) The date and place of the birth of the petitioner should be given in the petition. (1910. Rep. 23 and 89.)

668. (3) The occupation of the petitioner should be designated in the petition specifically and in detail, both with relation to himself and his employer, if any. (1910. Rep. 23 and 89.)

669. (4) When the petitioner resides in a city having streets that are named, and houses that are numbered, he should state in his petition the name of his street and the number of his house. (1910. Rep. 23 and 89.)

670. (5) The members of the Investigating Committee, where such a committee is appointed, should subscribe to a report in writing, when required, as to a thorough investigation of the character of the petitioner, this recommendation applying unto those jurisdictions where reports in writing are required. (1910. Rep. 23 and 89.)

671. (6) A petition to be made a Mason should state that the petitioner has never before petitioned a lodge of Masons to be made a Mason; or, in cases where the petitioner has before petitioned to be made a Mason, he should state the name, number, location and jurisdiction of the lodge previously petitioned, and the date, as near as may be, of such petition. (1910. Rep. 23 and 89.)

672. (7) A petitioner should have resided within the jurisdiction of the Grand Lodge for one year, that is, have had a legal residence there for one year. (1910. Rep. 23 and 89.)

673. (8) When application is made by a petitioner whose legal residence is in another jurisdiction, which by its laws claims the petitioner as its material, a waiver of jurisdiction should be requested from the last named jurisdiction. (1910. Rep. 23 and 89.)

674. (9) The form of "Renunciation" used in Pennsylvania should be required from petitioners who have been identified with clandestine bodies. (1910. Rep. 23 and 89.)

675. (10) No petition to be made a Mason should be received from one previously rejected in another jurisdiction within five years after such rejection, until the rejecting lodge has by unanimous ballot waived its claim of jurisdiction. Disapproved by Committee on Jurisprudence. (1910. Rep. 23 and 89.)

676. (11) All intro-jurisdictional communications should be sent through the offices of the Grand Masters. (1910. Rep. 23 and 89.)

677. A young man engaged in the government service was located for more than twelve months in Greensboro, N. C., and petitioned Greensboro Lodge, No. 76, for the degrees in Masonry. The Greensboro Lodge acted favorably upon his petition, but before receiving the degrees he was transferred to another point, and in a short time was back at his old home in Indiana. The Greensboro Lodge requested the Lodge at his home town in Indiana to confer the degrees as a courtesy. The Indiana Lodge declined to do so and set up a claim for the fees, assigning as the reason that the petitioner had never been a citizen of North Carolina. He had voted in Indiana at the November election of 1908. The matter was taken up between the Grand Secretary of the Grand Lodge of Indiana and the Grand Secretary of the Grand Lodge of North Carolina. The Grand Lodge of North Carolina claimed that under Masonic law, as construed by the Grand Lodge of North Carolina, the petitioner's residence for the twelve months immediately preceding his application to the Greensboro Lodge was in the jurisdiction of the Greensboro Lodge. The Indiana Grand Lodge contended that the Masonic residence and legal residence is the same, and, therefore, the petitioner was, according to Masonic law, within the jurisdiction of the Indiana Lodge. Finding that this question was differently construed in each Grand Jurisdiction, the Grand Lodge of Indiana withdrew its complaint and the matter

was closed. While on this point, I desire to call attention to the position which the Grand Lodge of North Carolina has taken on this question, which seems to me to be contrary to Masonic law and usage, as construed in nearly all other jurisdictions, a notable exception being the Grand Lodge of the District of Columbia. Grand Master Royster and Grand Master Winston both held that Masonic residence and legal residence were the same, but the Committee on Jurisprudence reported adversely on this ruling of Grand Master Winston, and held that Masonic residence means the "actual bona fide place of living," and this was approved by the Grand Lodge of North Carolina. I am of the opinion that the Grand Lodge of North Carolina was in error in this construction, but, as it was the action of the Grand Lodge, I felt it was my duty to uphold it. (Gattis, G. M., page 25.)

678. Every case of serious trouble in a subordinate lodge that has come to my attention during the year has been caused by the desire of some member to overcome or circumvent the effect of a blackball. The blackball, when properly used, is a weapon of defense. Some of the first principles of the Masonic Order is that no man should be permitted to become a member of a lodge unless he is acceptable to every single member thereof. A failure on the part of some Masons to fully understand this frequently occasions trouble and is the cause of unwarranted attempts to secure the admission of a person who is a friend of some influential Mason. It is laid down as fundamental law that the ballot in all cases must be,

1. Unanimous.
2. Secret.
3. Independent.

No Mason can be called upon to account for the vote he has deposited. The lodge is not entitled to know how any member voted. No inquiry can be entertained on this subject, no information received. Further, while

there may be a second ballot had in order to ascertain if any mistake has been made, this must be done before any member leaves the room, and there can be no reconsideration. Mackey lays it down as Masonic law, and I have found it nowhere doubted by any authority, that the lodge having been closed, there is no power in Masonry which can order a reconsideration of the ballot. If the Masters of lodges will keep these facts in mind, a fruitful source of discord will be eliminated. (Gattis, G. M., page 27.)

679. A lodge under dispensation has no right to affiliate members by accepting dimitts and acting on them. (1910. Rep., page 85.)

680. That the two bodies shall unite and co-operate in the constitution and maintenance of the "Masonic and Eastern Star Home," the Grand Lodge of North Carolina to contribute three-fifths and the Grand Chapter of the Eastern Star two-fifths of the funds necessary to build and maintain said Home; the Grand Lodge to name five and the Grand Chapter of the Eastern Star to name three of the Directors of said Home, with the Grand Master as ex-officio Chairman of said Board of Directors. (1910. Rep. 77.)

681. Lodges, U.D., have no right to affiliate members by accepting dimitts and acting on them. (1910. Rep. 85.)

682. Where lodge kept no minutes of a trial, setting forth neither the charges nor the record of the trial; Grand Lodge may send appeal back for new trial. (1910. Rep. 93.)

683. Where brother, had necessary opportunities to present to the lodge any objections he may have entertained against a petitioner, and failed to do so, he cannot complain of lodge electing and conferring degrees upon him. (1910. Rep. 94.)

684. The degrees may be conferred on as many as five candidates at the same communication, but no more than one candidate can be raised at the same time. (1910. Res. 115.)

685. It is the wish of the Grand Lodge that the Proceedings of the Grand Lodge be read in open lodge in each subordinate lodge. (1910. Res. 116.)

686. A brother who dimitted before the amendment to the By-laws which he retains his membership in the lodge granting the dimit to join another lodge until his petition is acted favorably upon by the other lodge, must regularly petition his former lodge for membership. (1911. Dec. 20. Hackett, G. M.)

687. The Grand Master has no power to grant permission to a lodge to elect a brother as Master until he has served a term as Warden. (1911. Dec. 20. Hackett, G. M.)

688. The jurisdiction to try a brother for a Masonic offense is in the lodge in the jurisdiction of which the offense is committed. (1911. Dec. 21. Hackett, G. M.)

689. A lodge cannot reconsider the vote by which a petition for degrees or membership was rejected. (1911. Dec. 21. Hackett, G. M.)

690. A dormant lodge may be resuscitated by dispensation from the Grand Master, upon petition of at least seven Masons who were members in good standing of said lodge when it became dormant, said seven Masons being non-affiliates and said petition being accompanied by their dimits or certificates from the Grand Secretary. (1911. Dec. 21. Hackett, G. M.)

691. A brother cannot vote by proxy in a subordinate lodge. (1911. Dec. 21. Hackett, G. M.)

692. A dimit cannot be granted to an Entered Apprentice. (1911. Dec. 21. Hackett, G. M.)

693. A lodge cannot grant a dimit to an officer thereof, nor can it accept his resignation. (1911. Dec. 21. Hackett, G. M. Rep. 108.)

694. A lodge has not right to move its place of meeting without permission of the Grand Master or the Grand Lodge. (1911. Dec. 21. Hackett, G. M.)

695. Several lodges have asked permission to send out appeals for aid in building halls or temples. I have felt it proper to decline, since so many lodges own no lodge rooms and have a hard time paying rents and I thought it best not to open the door for these appeals. (1911. Dec. 21. Hackett, G. M.)

696. I have been informed a number of times that some brother or brothers were blackballing good men from purely personal reasons, and have been asked if there is no way to stop it. There is not. The ballot is sacred and secret. No brother has a right to inquire who cast a blackball. The brethren of a lodge have no right to discuss the matter, or the reasons, and no Mason has a right to discuss the ballot in any way with a rejected applicant for degrees or membership. (1911. Dec. 21. Hackett, G. M.)

697. I have received several communications relative to the method by which a Mason excluded for non-payment of dues can regain his standing in the lodge. As this matter seems not to clearly set forth in the decisions and legislation, I recommend that the Grand Lodge pass a uniform by-law for government of the lodges in this respect throughout this Grand Jurisdiction. (1911. Dec. 21. Hackett, G. M.)

698. Dual membership is not recognized in this Grand Jurisdiction, nor can a member of a lodge in another Grand Jurisdiction be an honorary member of one in this. (1911. Dec. 27. Hackett, G. M.)

699. One Mason cannot hold two offices in a lodge. (1911. Dec. 22. Hackett, G. M.)

700. There is not statute of limitation barring trials for violation of Masonic law. (1911. Dec. 22. Hackett, G. M.)

701. Two trials may be held on the same day; provided, it was so stated and properly set forth in the call for the special communication and the summons for members. (1911. Dec. 22. Hackett, G. M.)

702. Where a brother employs non-Masonic counsel in a trial he cannot hear evidence relative to any of the secret parts of Masonry or sit in the trial while the lodge is open. (1911. Dec. 22. Hackett, G. M.)

703. Two special communications of the Grand Lodge may be held on the same day at different places; provided, it is possible for the Grand Master, or his representative, and the Grand Tyler with regalia and jewels to reach both. (1911. Dec. 22. Hackett, G. M.)

704. During February, 1910, an action was begun in the Superior Court of Forsyth County against the Grand Lodge, in which "The Supreme Grand Council, Sovereign Grand Inspectors General, Thirty-third and Last Degree, Ancient and Accepted Scottish Rite for the United States of America, their territories and dependencies," was plaintiff.

These plaintiffs are what are known as the Bayliss bodies and were refused recognition by our Grand Lodge two years ago.

I employed Bro. Charles B. Aycock as counsel for the Grand Lodge, and when I last heard from the suit the complaint had not been filed. (Hackett, G. M. 1911. page 27.)

705. In the matter of the petition of a number of brethren from Ruffin asking for a charter for a lodge,

without having first obtained a dispensation, we recommend that they follow the laws laid down governing such cases. (1911. Rep., page 93.)

706. A lodge under dispensation has no right to receive dimits and affiliate members, which is contrary to Masonic usage. (1911. Rep. 103.)

707. A lodge has no right to declare a ballot void, and then order a new ballot and confer on them the E. A. degree. We recommend that the lodge be required to spread the ballot on the original petitions of A. B. C. and D., and if upon said ballot they are declared elected that they be thereby entitled to all the privileges of E. A. and then proceed with advancing and raising of said applicants, unless the same be arrested according to law. (1911. Rep. 108.)

708. *Resolved*, That any brother who has been dismembered for the non-payment of dues, shall not again be reinstated, except upon regular application to the lodge, the payment of such sum as the lodge may require (not to exceed, however, the amount that he would then owe the lodge had he not been dismembered) and he shall then stand in the same relation to said lodge as a brother dimitted from a sister lodge.

Resolved, That each subordinate lodge shall fix the amount of arrearages necessary for dismemberment, and the method by which such dismemberment shall be carried into effect. (1911. Rep. 108.)

709. It seems that there has been so much misunderstanding as to laws bearing upon ballot that I will give a resume of them. Whenever a petition is received it must be balloted upon. When it is balloted upon and a candidate is rejected, another ballot may be taken for fear a mistake has been made. In no case can more than two ballots be taken, nor can another ballot be taken on the same petition at any subsequent time. The ballot is

secret and sacred. The Worshipful Master, Senior and Junior Warden, and Senior Deacon have no right to disclose how the ballot stood if rejected. No man has a right to question the ballot nor to ask anyone how he voted on the ballot. No man has a right to tell how he voted. Thus, you see the strongest laws are thrown around a ballot in order to keep it secret. (1912. Dec. 121. Hackett, G. M.)

710. Any brother who is a member of the lodge can demand another ballot on passing or raising and can stop the Entered Apprentice by objecting thereto. (1912. Dec. 121. Hackett, G. M.)

711. A man was elected to degrees in Edenton Lodge six years ago, initiated in Ranah Lodge, was made an Entered Apprentice at Danville, Virginia, passed in Concord Lodge at Tarboro and raised in Eno Lodge, Durham, but has not signed the By-laws of Edenton Lodge, what is his position? That of a non-affiliate Mason. (1912. Dec. 121. Hackett, G. M.)

712. A subordinate lodge cannot try a District Deputy Grand Master. (1912. Dec. 122. Hackett, G. M.)

713. The appeal of a brother who was charged with "violating his obligation as a Master Mason in failing to protect the good name and character of a brother Master Mason's wife," was duly convicted and expelled by said lodge. The charge was sustained by the evidence and the appeal dismissed. (1912. Rep. page 147.)

714. Bayliss suit. This is an action brought by a body styling themselves "The Supreme Council, A. A. S. R. for the United States of America," and their territories and dependencies, Orient New York, against the Grand Lodge of Ancient, Free and Accepted Masons of North Carolina.

The case has been placed in the hands of efficient legal advisers, who will represent us before the courts.

It is humiliating to Masons to see their affairs brought in litigation in the courts. At a time when all are striving to develop the universal brotherly feeling and proclaim peace and good will towards all men, we find our territory is invaded, our regulations set at defiance, and a suit has been instituted for libel against us.

The Grand Lodge of England long ago resolved that it was absolutely necessary for the welfare of Masonry and for the preservation of its ancient landmarks that there should be a superintending power competent to control the proceedings of every acknowledged lodge, and that the Grand Lodge, representing by regular delegations the will of the whole craft, is the proper and unquestionable depository of such power.

Masons have ever recognized and acknowledged that in each separate government there should be a distinct, independent Masonic jurisdiction, teaching obedience to its laws and the moral conceptions of its people. Hence we threw off our allegiance to the Grand Lodge of England immediately after the Revolution. These are universal Masonic doctrines.

We recognize in the Order of Odd Fellows, the Knights of Pythias, and various other associations of men, their great work in spreading the benevolent teaching of Masonry and in alleviating distress among suffering humanity. They are not against us; they are with us in the great work. But to assume to be one of us, and cavil for rights and prerogatives of Masonry, they would be against us, disturbing all peace and harmony. So when a body claims to practice Masonry and holds itself in defiance to our edicts, it becomes clandestine.

But, brethren, I am pleased to inform you that I have found contrasted with this action a feeling in the higher and progressive bodies of Masonry in North Carolina, a loyalty and a due regard for the Grand Lodge and its prerogatives. I have been the recipient of attention and received courteous recognition from such bodies—among those of the Royal Arch, of the Knights Templar, and

the Scottish Rite bodies of the Southern Jurisdiction of the United States. Such Masons have ever been the truest supporters of Ancient Craft Masonry in our midst, and their teaching is but the development of our doctrines, and by the use of the plumb, level, and square, they have traversed the fields of human knowledge in search of the ways of truth. Among such, harmony must ever prevail. (1913. McKoy, G. M., page 24.)

715. Many requests for dispensations were refused. The Grand Master may have the prerogative, but he is bound by his obligations to uphold the edicts of the Grand Lodge, and can best rule by setting the example of obedience. (1913. Dec. 28. McKoy, G. M.)

716. An appeal of a brother requesting permission to issue a circular to the lodges to raise funds to pay his debts, was refused. Masonry is a charitable institution, not a beneficiary order. He has no claim upon us. (1913. Dec. 28. McKoy, G. M.)

717. Requests for permission to ballot for degrees of Masonry at called meetings were refused on every occasion. Permission to take a new ballot where a supposed mistake was made at a former meeting was invariably refused. Requests that I would ask a Grand Master of another jurisdiction permission to confer the degrees of Masonry upon a candidate who had not resided twelve months in this State were invariably refused, as I believed that Sections 5 and 6 of Article X, of the By-laws, should be construed together. (1913. Dec. 28. McKoy, G. M.)

718. *Resolved*, That this Grand Lodge does not concur in the historical conclusions set forth in the report of the Committee on Foreign Correspondence, concerning the relative powers of Joseph Montfort and other Provincial Grand Masters prior to the War of the Revolution; and be it further

Resolved, That with all the evidence before this body, including the original commission of Montfort and copies of other commissions, the Grand Lodge of North Carolina is convinced that the unlimited jurisdiction granted to Montfort, by his said commission, was due to no oversight, omission, accident, or clerical error; and that therefore he held and exercised primacy over other Provincial Grand Masters whose territorial jurisdiction was limited by their commissions—an instance of such exercise being the issuance of a charter to a lodge in Virginia while Peyton Randolph was Provincial Grand Master in that territory, and which charter was recognized as valid by the Masons of Virginia both before and after the Revolution. (1913. Rep. 107.)

719. We commend the action of the Grand Master in referring all legal questions to the proper sections of the Code and Digest; and we trust that his action in this respect will cause the brethren to become more familiar with Masonic law, and to depend less upon legal decisions from the Grand Master. (1913. Rep. 111.)

720. As usual scores of questions have been asked as to Masonic law and custom by Masters and members of subordinate lodges during the past year, nearly all of them, however, could readily be answered by reference to the Code and to Andrews' Digest, to which reference has been made and page and number given wherever possible.

Would like just here to reiterate and emphasize the necessity of a closer study of the Code by the officers of lodges; as has been so often urged by every predecessor. (1914. Dec. 23. Winchester, G. M.)

720A. Petitioner for degrees living at "W" many years ago, applied to the Lodge at "W" and was rejected. Later he moved to "L" becoming a prominent citizen, active in church and state, the president of the local bank, etc. Still anxious to become a Mason he applied

to the Lodge at "L" several times but having been rejected at the Lodge at "W" they still claimed jurisdiction. Being asked to "waive jurisdiction" they invariably declined, never more than one or two blackballs appearing.

QUERY—Is a unanimous ballot required under such circumstances for waiver of jurisdiction? My ruling was that it was not. The Code states that where two or more lodges are in the same town, having concurrent jurisdiction, that a unanimous ballot is required, then, per contra, where they are separate towns only a majority vote should be required.

Am I correct? (1914. Dec. 23. Winchester, G. M.)
Committee on Jurisprudence adds: Article 10, Section XIII of the Code, fully sustains the ruling of the Grand Master and your Committee, therefore, feels constrained to approve the ruling, though it feels the law is unfair. Your Committee is glad to know that Regulation 173, page 110, of the new Code eliminates the doctrine of perpetual jurisdiction over a rejected profane, and brings the law in harmony with the principles of justice. (1914. Rep. 97.)

721. An installed officer may, with the consent of his lodge, and the approval of the Grand Master, resign his office in the lodge. (1914. Res. 97.)

722. In the appeal from "A" Lodge the Brother "B," a dimitted Mason, who was expelled, the Committee find the evidence fails to sustain the charge and the verdict of the lodge is set aside leaving Brother "B" entitled to the privileges of a non-affiliate Mason. (1914. Rep. 111.)

723. In the case of "D" Lodge have expelled Brother "E" for making false statements. The Junior Warden of the Lodge admits transcript was not complete and recommends that the appeal lie over and the

Lodge be directed to furnish another and more complete transcript of evidence. (1914. Rep. 111.)

724. In the case where "X" Lodge tried and suspended Brother "W" for violating his Masonic obligation, the specification being profanity, which is not sustained by the evidence, we recommend the action of the lodge be set aside and the brother reinstated. (1914. Rep. 111.)

725. In case of "M" Lodge which tried Brother "N" on a specification of drunkenness and making false statements to the Lodge, and acquitted him on the first charge and suspended him indefinitely on the second, since the evidence shown in the transcript has no bearing whatever on the second charge (the charge on which he was suspended) and we recommend that the action of the Lodge be set aside. (1914. Rep., page 111.)

726. In conferring the third degree, there can be but one construction or interpretation placed upon the meaning and intent of Masonic law. The first and third sections may be conferred upon as many as five candidates at the same time; but the second section, in its entirety, must be conferred upon each candidate separately and alone. (1915. Dec. 24, Alderman, G. M.)

727. The petition of a soldier or an officer in the United States Army temporarily stationed near a lodge under the Jurisdiction of the Grand Lodge of North Carolina, cannot be entertained unless the applicant is entitled to become a citizen where he is stationed and to register and vote in the state elections. (1915. Dec. 24. Alderman, G. M.) Committee on Jurisprudence add: As to decision No. 3, your Committee is of the opinion that the same is not an exact statement of the law. The soldier temporarily stationed near a lodge under the jurisdiction of the Grand Lodge of North Carolina, is a sojourner, and his petition should not be received and cannot be balloted on unless the petitioner shall have been continually a bona fide resident of its

jurisdiction for at least twelve months—Code, Section 113, page 52. A man may be a bona fide resident of this state for twelve consecutive months, but under the state constitution he cannot vote until he has been a bona fide resident for two years. (1915. Rep. 144.)

728. Two men of exactly the same name—not related—live within the jurisdiction of a lodge. One of the men petitioned for the degrees in Masonry. The committee made an unfavorable report and black balls were used. It soon became known, however, that the committee had reported on the wrong man and the lodge had voted on the wrong man.

HELD—That the whole proceedings were null and void.

The Committee did not report on the application placed in their hands nor did the lodge vote on the petition of the man who applied.

Let the Committee do its duty, make report on the proper man, and let the lodge ballot on the proper petition. (1915. Dec. 24. Alderman, G. M.)

729. Since the last annual communication of this Grand Lodge the case of the Supreme Council, A. A. S. R., for the United States of America, their territories and dependencies, Orient of New York, against the Grand Lodge of Ancient, Free and Accepted Masons, of North Carolina, which was then pending on appeal in the Supreme Court of North Carolina, was remanded to the Superior Court of Forsyth Conty for trial on the original pleadings, the Supreme Court having held that the appeal by the plaintiff from the ruling of Judge Lane was premature.

After several continuances the case was called for trial before his honor, C. C. Lyon, Judge, and a jury, at Winston-Salem, November 8, 1914. The plaintiff was represented by Lindsay Patterson, Esq., of the Winston bar, and Judge C. C. Moulton, of Washington City. The

Grand Lodge was represented by Bro. J. E. Alexander, of the firm of Alexander, Parish & Korner, of Winston-Salem; A. B. Andrews, Jr., Senior Grand Warden of Raleigh, and S. M. Gattis, P. G. M. The principal witness for the plaintiff was its Sovereign Grand Commander, M. W. Bayliss, of Washington, D. C. On the part of the Grand Lodge, Bro. John Nichols, Past Grand Master, who was a member of the committee that reported the resolution to the Grand Lodge at its annual communication in 1909, in regard to Cerneauism, and on which the plaintiff based his action, Past Grand Master W. S. Liddell and Grand Secretary John C. Drewry were the main witnesses. After both sides had closed the testimony defendant's attorneys moved to dismiss the action on the ground that the resolution complained on by plaintiff was a quasi privileged communication and that this being so it was incumbent on the plaintiff to show that the publication was false and malicious, and that plaintiff had failed to do so. After full argument by both sides, the court granted the motion and dismissed the action on the ground that plaintiff had failed to show malice in the publication. Plaintiff gave notice of appeal to the Supreme Court from this judgment and was given sixty days from the adjournment of the November term of court in which to serve statement of case on appeal, and defendant was allowed sixty days thereafter in which to file counter case. Appeal since abandoned. (1915. Rep. 122.)

730. A lodge tried and suspended "B" for five years on the charge of abuse of Masonic fraternity and profanity. As the evidence in this case did not sustain the charges, but did reveal that "B" apologized to the lodge for having used language unbecoming a Mason about some of its members, recommended that the action of lodge be set aside and "B" reinstated to membership in the lodge. (1915. Rep. 135.)

731. While it is proper for the Grand Master to answer any Masonic inquiry addressed to him, his answer becomes "a decision" and, therefore, a precedent only when made in the case of an appeal from a lodge or its Master; and an appeal even in such case must be a formal one. (1916. Dec. 19. Hobgood, G. M.)

732. There were requests for permission to receive petition at other than stated communications; to act upon petitions at special communications; to ignore the requirement that petitions must lie over for one lunar month; and others of like nature, evidencing the fact that many of the brethren still think the Grand Master clothed with unlimited power and possessed of prerogatives as far reaching as that under which the claim that he may even make Masons at sight is asserted.

I uniformly denied all requests for dispensations when authority was sought to do things prohibited by the constitution or regulations of the Grand Lodge, or to pursue courses other than those prescribed by the written law. I conceived it to be my duty to so rule both upon the principal that Masonic laws are intended to be observed and upon the express working of regulation one hundred and thirty-five.

"The Grand Master is the creature of the Grand Lodge, deriving all his authority from that body, and is vested with no prerogative which might annual her laws and edicts or contravene her avowed policy." (1916. Dec. 19. Hobgood, G. M.)

733. A man who has lost a leg is ineligible to the degrees of Masonry. (1916. Dec. 129. Hobgood, G. M.)

734. Where the Grand Lodge had ordered a new trial to be who made repeated efforts to get the lodge to give a hearing, and it appearing from the evidence that there was no reason why he should be denied his Masonic rights he was ordered restored as a non-affiliate Mason. (1916. Rep. page 130.)

735. A Mason suspended for non-payment of dues has to petition for restoration in the same manner as a dimitted Mason. (1916. Dec. 26. Andrews, D. D. M.)

736. A person otherwise eligible, who is deaf in his right ear, but has good hearing in his left ear is eligible to the degrees of Freemasonry. (1916. Dec. 26. Andrews, D. G. M.)

737. A petition for the degrees in Masonry, or a petition for affiliation can only be received at a stated communication and has to lie over one lunar month. (1916. Dec. 26. Andrews, D. G. M.)

738. The Grand Master cannot by dispensation abrogate the Constitution of the Grand Lodge requiring that a petition shall lie over one lunar month, hence he cannot grant dispensation to allow a petition to be balloted upon in less than one month by the lodge. (1916. Dec. 26. Andrews, D. G. M.)

739. Twelve months' Masonic residence in the State of North Carolina is necessary to give jurisdiction to a lodge in this state to receive a petition for the degrees. This twelve months' residence may be at more than one place, and where a party has a bona fide residence in the state fourteen months, of which six months was at "A," and eight months in the town of "B," the lodge at the town of "B" could, by getting a waiver from the town of "A," receive a petition for the degrees from the party. (1916. Dec. 26. Andrews, D. G. M.) Committee on Jurisprudence says: Rulings Nos. 739 and 742 not approved. Section No. 112 of the Constitution (Masonic Code, 1915) says: "No petition for degrees shall be balloted on by any lodge unless the petitioner shall have been continuously a bona fide resident of its jurisdiction for at least twelve months, or obtain a waiver from the lodge having jurisdiction over him. In the case stated

in the decision "A" Lodge never acquired jurisdiction and, therefore, could not waive it. (1916. Rep. 138.)

740. Brother "A B" pays his dues to date and petitions the lodge for a dimit. The dimit is ordered issued by the lodge and is actually filled up and issued by the Secretary. When the Secretary tenders the dimit the brother declines to accept it, saying that he has changed his mind and will not sever his connection with the lodge. Held that Brother "A B" is a dimitted Mason, and can only re-connect himself with the lodge by petition for affiliation, as he is a non-affiliate. The dimit is binding from the time it is ordered and not from the time it is actually issued. Of course, a party can ask for a conditional dimit for the purpose of transferring his membership to another lodge which would not sever his connection with the order. This ruling is based on No. 533 of the Masonic Digest. (1916. Dec. 27. Andrews, D. G. M.)

741. The definite suspension referred to in Section 151 of the Constitution of the Grand Lodge refers to suspension for cause and not to suspension for non-payment of dues under Section 153 [erroneously printed 165]. (1916. Dec. 27. Andrews, D. G. M.)

742. Every brother is entitled to a Masonic residence. If a brother lives twelve months in the State of North Carolina though it be in part at two or more different places, having no intention to return to his former home, he would clearly lose his Masonic residence in such other state. Having acquired a Masonic residence in North Carolina he would have the right to petition a lodge upon having lived in its jurisdiction for twelve months. Where he has lived less than twelve months in that place, though he has resided twelve months in the State, the lodge could, after getting the consent of the lodge at his previous residence in this state, where he resided such time if added to his present residence would

make twelve months, receive his petition. Committee on Jurisprudence disapproved. See No. 739 above. (1916. Rep. 138.)

743. A brother, whose dues have been paid to at least three months in advance, may file his petition with a lodge to which he wished to change his membership, accompanied by a written application for a dimit, and upon his being elected may apply for a dimit from the former lodge and after the receipt from the lodge petitioned he shall be a member of the latter lodge. This provision permits continuous membership but does not permit dual membership. (1916. Dec. 27, Andrews, D. G. M.)

744. A petition for initiation or for membership is not received by a lodge within the meaning of Section 117, providing that a petition can not be withdrawn after being received by a lodge, until it is read in open meeting and without objection taken charge of by the lodge. "A petition can only be received at a stated meeting," and while it is in the custody of the Secretary awaiting its due course at a regular communication "it is not received by the lodge." The Secretary is an indispensable officer of every lodge, but he is not the entire lodge, hence a petition in the pocket of a Secretary does not require the unanimous consent of the lodge to be withdrawn. (1916. Dec. 27. Andrews, D. G. M.)

745. Maim or deformity after initiation shall not prevent a brother from advancing. Where a brother received the Fellow Craft degree several years ago and since met with an accident and has lost the three fingers of the right hand, below the knuckles, having the thumb and index finger intact, he is eligible to be raised as a Master Mason. (1916. Dec. 28. Andrews, D. G. M.)

746. Each lodge is the sole judge of the worthiness of its petitions. Hence where a petitioner was guilty of

the reprehensible conduct of reading an expose it was entirely with the lodge whether they should receive or reject him and it was not in the prerogative of the Grand Master to grant permission one way or the other. (1916. Dec. 28. Andrews, D. G. M.)

747. A dispensation was granted allowing the Senior Warden to resign, whereupon a dispensation was granted allowing them to fill that station and any other vacancies that may be created in filling such office. (1916. Dec. 28. Andrews, D. G. M.)

748. The internal financial affairs of each lodge are for itself to govern, subject to the requirement that the fee for the degress shall not be less than \$15.00. Hence a lodge can reduce its fee from \$25.00 to \$15.00 by an amendment to its by-laws without first asking permission of the Grand Master to do so. (1916. Dec. 28. Andrews, D. G. M.)

749. Lodges in North Carolina in making requests of lodges in other grand jurisdictions should forward such correspondence through the Grand Master. The reason for this is a protection to each lodge to know that they will receive no communication from other than a regular lodge. (1916. Dec. 28. Andrews, D. G. M.)

750. It is unnecessary for a lodge to obtain dispensation to attend church service in usual regalia, including aprons, jewels, etc. Regulation 347.

To attend divine service it is unnecessary to open a lodge, as the brethren merely informally assemble in the hall, properly clothe themselves, and march to the hall where such services are held. A note of attendance should be on such minutes though the lodge is not open. (1916. Dec. 28. Andrews, D. G. M.)

751. Dispensation was granted for a lodge to receive the petition of the son of a Past Grand Master, who was in the service of the United States Navy and was home

on a vacation. The dispensation was to receive and act upon the petition without lying over the statutory period. In granting this dispensation I now think there was an error and I ask the Grand Lodge to answer this question for me. (1916. Dec. 29. Andrews, D. G. M.) Disapproved by Committee on Jurisprudence who stated: We hold that the action of the Acting Grand Master in granting the dispensation as stated in ruling No. 751 is not in accordance with the written Masonic law of this grand jurisdiction. It was an exercise of the prerogative of the Grand Master recognized by the landmarks, which ought to be exercised with the greatest care and only in exceptional cases, and we do not disapprove of his action in this particular instance. (1916. Rep. 138.)

752. In the case of the trial of a Mason charged with the violation of his obligation an affidavit signed by the prosecutor cannot be offered as evidence. If such a statement is needed to be taken it can be taken by a committee of one or more members appointed by the Master, to take such a statement in the same way depositions are taken in the civil courts, the defendant having reasonable notice of the time and place of taking so that he may have opportunity to cross-examine the witness. (1916. Dec. 29. Andrews, D. G. M.)

753. A party, for the four or five years, has resided in North Carolina from August 1st, to January 31st; in Richmond, Va., from February 1st, to April 30th; and in South Carolina from May 1st, to July 30th, and wishes to petition for the degrees. What lodge has jurisdiction? This can only be settled, in the absence of more specific facts, by holding that each white male person coming of age acquires a Masonic residence in a similar manner to the way in which he acquires a political residence. If this party was a resident in the jurisdiction

of the North Carolina lodge when he became of age or before he began his perigrination, then the North Carolina lodge has jurisdiction. Otherwise, if he became of age in another state or had Masonic residence there he cannot petition the lodge in North Carolina until he acquires a bona fide Masonic residence here by a permanent removal to this state. (1916. Dec. 29. Andrews, D. G. M.)

754. It is optional with a lodge whether to charge a fee for affiliation or not. The wording of the Masonic Code that the fee shall invariably accompany the petition refers to petitions from candidates for degrees, or where there is a fee charged for affiliation, but it does not require a lodge to charge a fee for affiliation. (1916. Dec. 29. Andrews, D. G. M.)

755. A petitioner for the degrees was elected, and when he presented himself for the Entered Apprentice degree, objection had been lodged against him and the candidate was stopped permanently. Under this state of circumstances it was recommended to the lodge that they would return the party his fee. This is not authorized by any written law but it is the common law of honesty not to take a man's money for the degrees and then give him nothing or only a part of the degrees, as Masons always believe in acting upon the square in such matters. (1916. Dec. 29. Andrews, D. G. M.)

756. It is not obligatory on a lodge to try every breach of Masonic discipline that comes up, as a Master should exercise a sound discretion and through private talks set aright an offending brother, and aid in his reclamation if it be possible. However, a flagrant breach of discipline should be dealt with as it requires. The lodge, subject to review by the Grand Lodge, is the sole judge of the discretion to apply to each case. (1916. Dec. 29. Andrews, D. G. M.)

757. Two or more brethren may be included in one charge, and charges may be filed at a regular communication, or they may be filed at a special communication called especially for that purpose. The charges might, and probably should, be referred to a Committee of Investigation who should see if they could bring the brethren together, and avoid a trial, or whether the lodge should proceed with the trial. (1916. Dec. 30. Andrews, D. G. M.)

758. After the lodge has voted to consider the charges a copy of them should be delivered to the accused by the Secretary as provided in the Masonic Code and be allowed until a day certain to file his answer. A day should then be set for the trial after all other efforts have failed and the parties notified. The expense of witnesses attending the trial on behalf of the lodge should be borne by the lodge. (1916. Dec. 30. Andrews, D. G. M.)

759. The Grand Master should not declare concurrent jurisdiction as provided in Section 96 of the Constitution in favor of "A" Lodge over the territory of "B" Lodge, until after "A" Lodge endeavored to amicably obtain the consent of "B" Lodge to its invasion. "B" Lodge should act liberally in such matters as the exclusive territorial jurisdiction is given as a protection, and not as a revenue producer. (1916. Dec. 30. Andrews, D. G. M.)

760. A Master finding that a brother is using a cipher work should demand the same from him to be delivered up and destroyed as required in Regulation 28. If a brother refuses he should be dealt with as therein directed. (1916. Dec. 30. Andrews, D. G. M.)

761. The ancient work of Freemasonry referred to in the various editions of the Masonic Code is the Stevenson work which is purely traditional and not com-

mitted to writing. (1916. Dec. 30. Andrews, D. G. M.)

762. There is no provision of law providing that the petition for a lodge U. D. shall be first submitted to a District Deputy. However, as he is in charge of Masonry in that district, the Grand Master has the right to refuse to consider such a petition until it is first submitted to the District Deputy. (1916. Dec. 30. Andrews, D. G. M.)

763. Under Section 119 of the Constitution a petition for the degrees is elected to the three degrees of Masonry, provided, however, if any brother shall request it, the lodge may take another ballot on the application previous to conferring either degree. Under this provision a ballot can be called for when the candidate presents himself for the Entered Apprentice degree. Under these circumstances, if the candidate is stopped before he has taken any of the degrees it would be unfair for the lodge to hold his money and they could very properly return the same. (1916. Dec. 31. Andrews, D. G. M.)

764. A dimitted Mason can apply for membership in a lodge, anywhere in or out of the State, irrespective of his residence. (1916. Dec. 31. Andrews, D. G. M.)

765. In a Masonic trial the guilt of a party is ascertained and the lodge determines the penalty as definite suspension. How is the length of this suspension to be determined by the lodge? I ruled that the most reasonable course to pursue would be to allow a secret ballot to be cast by each brother designating on the ballot the length of time the suspension is to last, after which the Master would then put the time of the suspension before the lodge commencing with the longest period. (1916. Dec. 31. Andrews, D. G. M.)
Committee on Jurisprudence add: As to ruling No. 30, this committee is of opinion that it refers to a matter of

procedure which each lodge should determine for itself. There seems to be no special regulation governing this question and we think each lodge should work out its own way of deciding this matter. We do not disapprove the Acting Grand Master's suggestion as to the manner of procedure. (1916. Rep. 138.)

766. A candidate filed his petition for the degrees with a lodge, which was regularly received and after the committee had agreed upon, properly reported and filed same with the Secretary, but before the communication was held at which his application was to be voted upon, he had the misfortune to lose his left foot in a railroad accident. Under the circumstances I held that the candidate was ineligible to the degrees and the lodge did properly in holding up voting on the petition until the matter could be determined. (1916. Dec. 31. Andrews, D. G. M.)

767. A young man otherwise eligible has been attending a Medical College in Richmond, Va., for nine months past, and upon his return to the home of his parents, where he resides, desires to petition for the degrees. His stay in Richmond was solely for the purpose of attending school, and not for making it his residence. Held that the lodge at his home had jurisdiction. In Richmond he was only a sojourner until he had acquired a Masonic residence, which he had not done. (1916. Dec. 31. Andrews, D. G. M.)

768. Upon the filing charges against a Master of a lodge, he is not automatically suspended from office, but the Grand Master, if he finds there are reasonable grounds for the charge, may suspend him from office. (1916. Dec. 31. Andrews, D. G. M.)

769. Section 135 authorizes an appeal from a ruling of the Grand Master made in vacation to the Grand Lodge. (1916. Dec. 31. Andrews, D. G. M.)

770. Under the present Constitution of the Grand Lodge, a Master of a lodge is not tried by the Grand Lodge but by a commission of not less than three past or present Masters, which shall be appointed by the Grand Lodge or by the Grand Master. (1916. Dec. 31. Andrews, D. G. M.)

771. Where the lodge by a vote of eighteen to twenty acquitted a brother accused of charges by another brother, the prosecutor has the right of appeal to the Grand Lodge. (1916. Dec. 31. Andrews, D. G. M.)

772. Where a brother pleads guilty to charges before a lodge, and requests that the matter be settled then, it being at a regular communication, without objection, the lodge by vote may proceed to act and the sentence of two years' suspension imposed at that time is binding, especially as the party was present, requested action and did not appeal. This meeting occurred in July and when he claimed that the matter was illegal it was re-opened in October in the absence of the Master, and a sentence of reprimand only imposed; held it did not restore the brother to the lodge as the former action was binding on the lodge and the accused. (1916. Dec. 32. Andrews, D. G. M.)

773. A charter which had been arrested by order of the Grand Lodge, upon being restored by the Grand Master, only holds good until the next succeeding session of the Grand Lodge, who can then make permanent his action or decline to restore it as the Grand Lodge sees fit to do. (1916. Dec. 32. Andrews, D. G. M.)

774. The unfinished material, those who have received the Entered Apprentice and Fellow Craft degrees, of a dormant lodge under dispensation, when the dispensation is surrendered before a charter is granted, becomes the property of the chartered lodge

or lodges having jurisdiction over such unfinished material. (1916. Dec. 32. Andrews, D. G. M.)

775. A petitioner for the degrees was elected to the same in a lodge in this state, but never presented himself for the degrees and afterwards removed to a neighboring state. He now makes application and the lodge which previously had elected him asks if they can entertain the petition. I ruled that they cannot, as more than one year had elapsed since his removal to the neighboring jurisdiction, and hence the Grand Lodge had lost its jurisdiction and he is now under the neighboring Grand Lodge's jurisdiction. (1916. Dec. 32. Andrews, D. G. M.)

776. Where charges are preferred by a brother against a present Master, for an offense committed before the brother was made Master, the procedure would be as outlined in Sections 166 and 69 of the Constitution of the Grand Lodge, on page 66 the 1915 edition. (1916. Dec. 32. Andrews. D. G. M.)

777. Charges were preferred by Brother "B" against Brother "A" in a regular communication, which were afterwards dismissed on the ground of a deficiency in the record. At the next communication charges were again preferred by him against Brother "A" for the same offense and at that communication Brother "A" prefers counter charges against Brother "B." Upon being asked if the last charges were regularly before the lodge, I held that they were, for the reason that the preferring of charges against a brother does not change his status in Masonry until after the charges are acted upon, otherwise an innocent brother could be unjustly deprived of his rights by groundless charges maliciously preferred. (1916. Dec. 32. Andrews, D. G. M.)

778. The lodge specially notified and convened for that purpose at which trials take place as designated in

Section 160 need not necessarily be a special communication, but may be a regular communication of the lodge and the members notified that the charges will be investigated at such regular communication specially designed for that purpose. (1916. Dec. 33. Andrews, D. G. M.)

778A. Regulation 145 reads: "A Mason is bound to obey the moral law and is under peculiar obligations to observe the sanctity of the marital relation." Any violation of the moral law is a violation of the Masonic law. (1916. Dec. 33. Andrews, D. G. M.)

779. In case of violation of Regulation 243, the proof need not necessarily be direct evidence, but a proving of the offense could be done as similar acts are proved in divorce courts. It is not necessary in divorce cases for an absolute divorce on scriptural grounds for the offense to be proved by eye witnesses but a jury can find the same where the facts are inconsistent with the innocence. The same applies to the proving of such cases. (1916. Dec. 33. Andrews, D. G. M.)

780. An Entered Apprentice who had received that degree in a sister grand jurisdiction and removes to this state is still under the jurisdiction of the Grand Lodge of that other state. A lodge in this state cannot receive his petition for the degrees of Masonry, nothing else appearing, but should get the other lodge to request it and confer the degrees for it. (1916. Dec. 33. Andrews, D. G. M.)

781. To restore a suspended brother to his rights as a member of a lodge requires an unanimous ballot. To restore a brother to the rights and benefits of Masonry, but not as a member of that lodge, when he stands only as a dimitted Mason, requires only a two-thirds ballot. (1916. Dec. 33. Andrews, D. G. M.)

782. A brother on the 25th of the month takes an absolute dimit from "A" Lodge with the intention of

depositing it in "B" Lodge. On the 29th he delivers his petition with the dimit attached to the Secretary of "B" Lodge, which does not meet until the 6th day of the following month, and on the 2nd, he is killed in a railroad accident. Held that he is a non-affiliate. It is in the province of the lodge to act towards a brother as they see fit, but there is no legal binding duty that they should receive this petition. The dimit could not be returned to "A" Lodge nor could "B" Lodge, act upon the same, as the member was dead. The conditional dimit, to be granted if a brother affiliates with another lodge, was to remedy just such cases as this. It is an unfortunate case, but the law is so written. Of course, there is nothing to preclude either one of the lodges recognizing his moral intention to continue affiliated or even doing for his family on the ground that the non-affiliation was not through his fault, as he may have been, possibly was, ignorant of the provision authorizing a condition dimit providing for continuous membership. (1916. Dec. 33, Andrews, D. G. M.)

783. We have considered the one ruling made by Grand Master Hobgood "that a Master Mason, who has lost his right arm after he has been a Mason is eligible to be elected to the office of Master of the lodge" and approve the same. (1916. Rep. 138.)

784. Having been appointed a special committee to take into consideration the question as to whether, and to what extent, the Grand Lodge of North Carolina should aid in erecting the Masonic National Memorial Temple in honor of the memory of the world-renowned patriot and zealous Mason, George Washington, we respectfully report:

1. That this undertaking is one of immeasurable importance to Masonry throughout the world, more especially Masonry in America, and deserves the approbation and financial encouragement of the craft, wherever dispersed.

2. That the said undertaking is in no sense local in its character, but has for its object the erection of a Temple at Alexandria (within sight of the capitol of the nation) which building is to be the joint property of the Masons of America—the Grand Lodge of North Carolina thereby becoming part owner of a collection of the Masonic relics of General Washington, valuable above all price, as well as of handsome edifice of great utility and beauty.

3. That we reiterate the Grand Master's recommendation that the Grand Lodge of North Carolina appropriate the sum of five hundred dollars, payable in instalments of one hundred dollars per annum, for the aid of said undertaking—this Committee entertaining the hope that, at the end of the period of five years' time, the finances of this Grand Lodge will justify an increased appropriation until this laudable undertaking by our fraternity is brought to a successful consummation.

4. That as not only Grand Lodges, but also subordinate lodges and individual Masons, should aid (and are aiding) in this work, we most earnestly commend to the favorable consideration of the lodges and Masons of North Carolina any appeal which may come before them relative to this work.

5. That we also urge those of our brethren, who have not already done so, to become purchasers of that splendid biographical work, "Washington, the Man and the Mason," written by Bro. Charles H. Callahan, and sold for the benefit of the aforementioned Masonic Memorial Association.

785. Where lodge fails to give an accused brother a new trial, as ordered by Grand Lodge, who made repeated efforts to get a hearing, the Grand Lodge may restore him to good standing as provided in Section 177. (1916. Rep. 130.)

786. The Master alone passes on the proficiency of a candidate for advancement or raising. Proficiency is a requisite to receiving the degree, and the candidate not having opportunity to receive instruction by reason of absence, does not dispense with this requisite. (1917. Dec. 22. Andrews, G. M.)

787. A candidate is elected to receive the three degrees of Masonry; however, if any brother should request it, the lodge may take another ballot previous to conferring either degree. Regulation 119. Under this regulation ballot may be called for when the candidate presents himself for the Entered Apprentice degree. (1917. Dec. 22. Andrews, G. M.)

788. A lodge having deadlocked in an election for Master, twenty-four ballots being taken with no avail, it was proper for the lodge to proceed with the election of other officers, which only required a majority vote, instead of indefinitely balloting on an office that required two-thirds to elect. (1917. Dec. 22. Andrews, G. M.)

789. Where officers are not elected at the communication preceding St. John, the Baptist Day, as prescribed in By-laws of the Grand Lodge, it requires a dispensation from the Grand Master to hold an election. (1917. Dec. 22. Andrews, G. M.)

790. A Fellow Craft removes to a neighboring town and his home lodge by majority vote requests the lodge in the neighboring town to confer the Master Mason degree. A brother in conversation with the Secretary objects to that course. He made no objection in open lodge though present afterwards. Held that the objection to the receiving of a degree provided for in the Masonic Code must be in open lodge. An objection filed verbally with the Secretary is not sufficient. (1917. Dec. 22. Andrews, G. M.)

791. Request for degrees to be conferred in lodges

outside of this state should, under Grand Lodge ruling, pass through the office of the Grand Master of this State, who will forward it to the lodge to whom it is addressed. This is for the protection of all concerned, as each Grand Master knows his own lodges and is in fraternal communication with every other Grand Lodge. It is a protection to the Craft against imposition by clandestine Masons. (1917. Dec. 23. Andrews, G. M.)

792. A man paralyzed more than thirty years ago, since which time he has been unable to walk without crutches and has very little use of his legs, is ineligible to Masonry. (1917. Dec. 23. Andrews, G. M.)

793. It is fundamental in Masonic trials that a party shall not only be apprised of the charge against him, but that he shall have reasonable time in which to prepare his defense to meet such charges after being apprised of them through a copy of the charges and specifications. (1917. Dec. 23. Andrews, G. M.)

794. An intending petitioner had lost his thumb just below the first knuckle but, in the opinion of the Master, was able to give the grips without much trouble, was held eligible to the degrees under Section 11, page 50, of the Constitution of the Grand Lodge. (1917. Dec. 23. Andrews, G. M.)

795. A lodge proceeded to ballot on a petition, and before the ballot was closed, one brother announced he had made a mistake, whereupon the Master ordered the ballot spread again. The new ballot not being clear, the Master, in order to make no mistake, ordered a second ballot (as he thought he had a right). Held that the first attempt at a ballot, never having been closed or acted upon, was no ballot, hence in accordance with the Code the Master had the right to order a second ballot to see there was no mistake. (1917. Dec. 23. Andrews, G. M.)

796. An intending petitioner, who had moved to North Carolina more than a year previously, exclusively traveling the State of North Carolina as a representative of a commercial house, maintained headquarters for mail at the place where the lodge is located, although spending from two to three weeks at other places, yet returns to that place from time to time and spends his leisure time there, is a resident of that place for twelve months within the meaning of the Masonic Code. (1917. Dec. 23. Andrews, G. M.)

797. A Mason was dropped for non-payment of dues by a lodge which has since become dormant. Held he cannot be reinstated by the lodge which succeeded to its territorial jurisdiction, but must apply to the Grand Secretary's office in the manner prescribed for member of dormant lodges obtaining dimitts and for reinstatement. (1917. Dec. 24. Andrews, G. M.)

798. One who has lost his left arm below the elbow is ineligible to the degrees. Decisions 493, 494, and 497 of Masonic Digest. (1917. Dec. 24. Andrews, G. M.)

799. A member, rejected in "A" Lodge more than three years ago, recently petitioned and was elected in "B" Lodge, there being two lodges in the city. No objection was made by "A" Lodge to "B" Lodge receiving the petition. Held that, as perpetual jurisdiction over rejected candidate is abolished, that the jurisdiction of "A" Lodge on the rejected candidate was exclusive for one year, but after that "B" Lodge has concurrent jurisdiction with it, over any material residing in a city, including such rejected material of "A" Lodge. (1917. Dec. 24. Andrews, G. M.)

800. A Master has the right to appoint a committee to investigate a matter of disturbance between two brethren. It is not only within his power to do so, but he should do everything to promote peace and harmony

within the Craft, especially within his own lodge. (1917. Dec. 24. Andrews, G. M.)

801. When a candidate is raised in a lodge different from the one in which he is elected, he should sign the By-Law of the lodge in which he petitioned and as elected to the degrees of Masonry. Where it is impracticable for the brother to personally sign the By-laws, owing to great distance of the lodge where he received the degrees from where the lodge is located, it is proper for him to signify in writing his assent to the By-Laws, either by signing a printed copy of the same, or by writing a letter to the Secretary noting his assent. *Masonic Digest*, No. 582. (1917. Dec. 24. Andrews, G. M.)

802. A Mason made in a lodge under the Grand Lodge of Porto Rico and petitioning a North Carolina Lodge for affiliation can be healed as provided in Regulations 149 and 150 of the Masonic Code. (1917. Dec. 24. Andrews, G. M.)

803. Regulation 151, forbidding healing any degree conferred in a clandestine lodge, does not apply to the foregoing as the Grand Lodge of Porto Rico is not a clandestine lodge, though it has not been recognized by our Grand Lodge. (1917. Dec. 25. Andrews, G. M.)

804. The recognition of the Grand Lodge of Porto Rico by the Supreme Council, A. A. S. R., Southern Masonic Jurisdiction, to which the intending affiliate belonged, is very persuasive, but not controlling as each Grand Lodge decides such questions for itself. (1917. Dec. 25. Andrews, G. M.)

805. The standard of the Stevenson work as the authorized work of the Grand Lodge of North Carolina is the standard as approved by and confided in the Board of Custodians and orally taught by the Grand Lecturer and his assistants throughout the State. (1917. Dec. 25. Andrews, G. M.)

806. It is the duty of a Master of a lodge to take up any cipher work known or used within his jurisdiction and destroy the same. If the brother refuses to surrender it, he is subject to charges for failure to comply with the Grand Lodge edict.

807. Where lodge dues are payable at the end of the year, it is required that after the year commences that a brother applying for a dimit shall pay such dues that have accrued, accordingly as the dues are payable annually, semi-annually or monthly. (1917. Dec. 25. Andrews, G. M.)

808. The assessment on members of lodges are forbidden by North Carolina Masonic Digest, 528. A lodge should provide for its expenses out of the dues imposed on the membership, and not by assessments. (1917. Dec. 25. Andrews, G. M.)

809. Masonic emblems should not be used for advertisement. Therefore a brother running a passenger automobile for hire, which in standing on the street carries a sign "For Hire" should not use a square and compass emblem on his machine. It is otherwise in the case of a private machine not used for hire. (1917. Dec. 25. Andrews, G. M.)

810. A dimit takes effect from the time it is ordered granted. When a dimit is ordered and delivered by the Secretary to the brother, he is then a non-affiliate Mason, and can only re-connect himself with the lodge issuing the dimit or any other lodge by petitioning the lodge as a non-affiliate. (1917. Dec. 25. Andrews, G. M.)

811. A Worshipful Master dying in office should be classed as a Past Master after the expiration of the term for which he was elected. Therefore, a lodge could with propriety present his widow with his Past Master's jewel. (1917. Dec. 25. Andrews, G. M.)

812. A petitioner who has lost his left arm is ineligible to the degrees of Masonry. (1917. Dec. 26. Andrews, G. M.)

813. The degrees may be conferred on not exceeding five candidates at the same communication (Regulation 53), and the Grand Master has no power to issue a dispensation varying this edict. (1917. Dec. 26. Andrews, G. M.)

814. The provision of Section 92, sub-section 2, providing for the Treasurer to give bond is mandatory. Regulation 27 on page 85 provides that for failure to give bond, when required by the lodge, that the lodge may declare the office of Secretary or Treasurer vacant. (1917. Dec. 26. Andrews, G. M.)

815. A person of illegitimate birth, if otherwise qualified, is eligible to the degrees of Freemasonry. The Masonic order looks to a man's moral character and not his antecedents, and only requires he must be a man of good character and standing in the community.

“Honor and shame from no condition rise
Act well your part, there the honor lies.”
(1917. Dec. 26. Andrews, G. M.)

816. A lodge can change or amend its by-laws, including the by-law regulating its meeting, as it sees fit, in accordance with the provisions of the Grand Lodge law, therefore a lodge has the right, upon complying with the Code, to change its meeting date as its membership sees fit, to be approved as is provided in Regulation 41. (1917. Dec. 26. Andrews, G. M.)

817. Masons who took dimitts to form a new lodge, the dispensation for which was refused, have to petition the lodge in which they formerly held their membership just like any other non-affiliate.

Had the Brethren applied for and obtained a conditional dimit for the purpose of joining the proposed lodge

under dispensation, it would have been otherwise. (1917. Dec. 26. Andrews, G. M.)

818. Petitioners for a new lodge must live within the jurisdiction of the proposed new lodge, in counting up the required number necessary to grant a petition. (1917. Dec. 26. Andrews, G. M.)

819. In the absence of a Master the Senior Warden has all the authority of the Master, including the calling of special communications of the lodge, and the transaction of any other business. (1917. Dec. 27. Andrews, G. M.)

820. A brother who was dismembered for non-payment of dues three years ago has to petition his lodge for membership the same as a non-affiliate. (1917. Dec. 27. Andrews, G. M.)

821. A Master can invite a brother from another jurisdiction (in this instance a former Grand Lecturer for a sister Grand Lodge) to confer work, and it would be entirely proper for the brother to give the lecture as taught in his state, as he is unfamiliar with our lecture. In this instance the candidate was the son of the non-resident Mason invited. Such invitations should be only occasionally extended, and not regularly done so as to interfere with the Stevenson work taught by our Grand Lecturers. (1917. Dec. 27. Andrews, G. M.)

822. The Master has no right to remove a Senior or Junior Warden for non-attendance on lodge meetings or failure to show interest. An installed officer, may with the consent of the Grand Master, resign, and may be suspended for non-payment of dues, Master alone excepted. (1917. Dec. 27. Andrews, G. M.)

823. A ballot on the advancement of a candidate can only be demanded in open lodge, usually when the

candidate presents himself for advancement. (1917. Dec. 27. Andrews, G. M.)

824. Where a member asks for a ballot on the advancement of a candidate which the Master Orders, and then the brother asking for the ballot requests permission to retire before the ballot is spread, it is solely within the province of the Master, in his discretion, to permit a brother to retire, and he is the sole judge of the same. (1917. Dec. 27. Andrews, G. M.)

825. A petitioner, otherwise eligible, whose work keeps him most of the time in the District of Columbia, but still maintains a voting and tax paying residence at a place in this State, may petition the lodge at such place for the degrees. (1917. Dec. 27. Andrews, G. M.)

826. Where a Mason is expelled or indefinitely suspended, he has no right to wear a Masonic emblem. The effect of suspension for a definite time is to deprive him of all the rights and privileges of Masonry save the right to petition for a restoration or good standing. Public Laws 1915, Chapter 252, makes it a misdemeanor for any person who fraudulently or wilfully wears a badge or button of any secret organization. (1917. Dec. 27. Andrews, G. M.)

827. Reasons against the Fellow Craft being advanced for causes supposed to have been committed seven years may be a valid reason for a brother objecting to a Fellow Craft being raised. (1917. Dec. 28. Andrews, G. M.)

828. Constitution 125 provides that when a petitioner has been rejected for advancement or membership, he cannot be balloted on for the same in less than three months from the time of such rejection. Regulation 2 provides that no petition for advancement is required unless previously rejected. (1917. Dec. 28. Andrews, G. M.)

829. The objection filed with the Master to a candidate being advanced holds only until the next regular communication of the lodge, when the brother objecting is afforded an opportunity to demand a ballot. An objection filed with the Master prevents the degree being conferred at a special communication before the regular communication. If a ballot be not demanded at the regular communication, then the Master would have the right to proceed to advance the candidate. (1917. Dec. 28. Andrews, G. M.)

830. A lodge may or may not, as it sees fit, require an affiliation fee from those affiliated. (1917. Dec. 28. Andrews, G. M.)

831. Where a lodge raised funds by appeal to other lodges, for the relief of two distressed sisters of Master Masons, it was proper for the funds to be turned over to the Treasurer, and disbursed to the beneficiaries by order of the lodge as their necessities may require. (1917. Dec. 28. Andrews, G. M.)

832. A lodge proceeding to remove its hall under Regulation 227, notified the membership that it would be taken up at the meeting on March 3rd, which failed to be held for lack of quorum, owing to the extremely bad weather. It would be entirely proper to take up this matter at the next stated communication on March 17th, and not to be necessary to proceed anew in the matter by giving additional notice. (1917. Dec. 28. Andrews, G. M.)

833. A lodge may issue postal card notice of its meetings on which it contains the following language: "The degree of Master Mason will be conferred on the following Brethren A, B, C, D, E, F, G, and H." In making this ruling I am aware of No. 542 on page 125 of the Masonic Digest that "the names of candidates whose applications are to be balloted upon should not be

printed in the lodge notices sent to the members." The former ruling in 1902 applied to petitioners for the degrees who were for election, while the ruling in the present case is to Fellow Crafts for advancement who have previously been elected. (1917. Dec. 28. Andrews, G. M.)

834. A lodge has no right to receive the petition of an Entered Apprentice, dimitted as such from a lodge in another state which issues dimits to Entered Apprentices. Our law does not issue or recognize such dimits. For such a member to receive the degrees in a North Carolina lodge the same must be requested by the lodge, which elected him to the degrees. (1917. Dec. 29. Andrews, G. M.)

835. It is proper for a lodge in Charlotte, by resolution, to vote that fifteen per cent of its income will be devoted to paying off the debt on the Masonic Temple, which is a \$90,000 investment devoted exclusively to Masonry. A lodge makes it By-laws and can amend them in the manner provided by the Code. (1917. Dec. 29. Andrews, G. M.)

836. A lodge in its By-laws cannot provide that a member whose dues are in arrears for one year shall not be allowed to vote. It is the privilege of every member of a lodge in good standing to vote on all questions the humblest member having voice equal with the Master, hence this ruling. A lodge can only deprive a member of voting by suspending him for non-payment of dues in accordance with the Masonic Code. (1917. Dec. 29. Andrews, G. M.)

837. It is recommended to all lodges that they make their dues payable annually in advance, in preference to being paid at the end of the year. (1917. Dec. 29. Andrews, G. M.)

838. Any installed officer (the Master alone excepted) may, with the permission of the Grand Master, and the consent of the lodge, resign his office, and the Grand Master may grant a dispensation to hold an election to fill the office, and to fill any other vacancies that may occur by reason of the filling of such office. (1917. Dec. 29. Andrews, G. M.)

839. A Master can, with the consent of the Grand Master and the request of the lodge over which he was elected to preside, be installed in a lodge distant from the lodge from which he was elected to preside. Hence a brother who was a surgeon in the First North Carolina Regiment in camp at Camp Glenn could be installed in the lodge at Morehead City, or any other nearby point, when requested by the lodge over which he was elected to preside, though it was three hundred miles distance. (1917. Dec. 29. Andrews, G. M.)

840. Under the Grand Lodge By-laws a lodge pays \$1.00 per capita on each Master Mason on its roll on October 31st, and also pays \$1.00 for each initiate during the year preceding. The fact that the initiate is raised that year and counted on the roll of Master Masons does not relieve the lodge from paying \$1.00 initiation. (1917. Dec. 30. Andrews, G. M.)

841. The Grand Master has the authority (Constitution 24, subsection 9) to arrest the charter of any lodge, when he is convinced that the interest of Masonry requires it, notifying the lodge to answer at the next succeeding communication of the Grand Lodge, which body can in its discretion restore the charter. (1917. Dec. 30. Andrews, G. M.)

842. Where a white male person over twenty-one years of age resided for more than one year at the town of "A," he acquires a Masonic residence there, which is not lost upon his removal to "B" until he has resided in the town of "B" for one year. If before the year had

elapsed he desired to petition the lodge in the town of "B," it was necessary for the lodge at "B" to secure the lodge at "A" to waive its jurisdiction in order for it to entertain the petition. (1917. Dec. 30. Andrews, G. M.)

843. The Assistant Grand Lecturers are commissioned under Section 207 by the Grand Master. The Grand Master's commission, unless the Grand Lodge directs differently, only lasts during the term of office, unless sooner revoked. (1917. Dec. 30. Andrews, G. M.)

844. Where a candidate has been elected to the degrees and forfeits his initiation fee by refusing to be initiated, the lodge, may, in its discretion, refund him the fee if it so desires. (1917. Dec. 30. Andrews, G. M.)

845. The Grand Lodge By-laws prevail over the By-laws of a local lodge. Therefore, a local By-law enacted many years ago, providing that any member whose dues are unpaid for two years shall stand excluded is superseded by Grand Lodge By-law. Delinquencies in dues must be provided for in accordance with the Grand Lodge By-law. (1917. Dec. 30. Andrews, G. M.)

846. Regulation 202 recommends that lodges should, as far as possible own their own halls, and not jointly with other bodies. The use of lodge rooms for other than Masonic purposes must be left to the lodges themselves. Some uses may be advantageous, and other destructive, hence, until the Grand Lodge lays down a ruling, it is within the province of the lodge to permit its hall to be used for political speaking. The use of the lodge room, however, on such occasions, is not recommended. (1917. Dec. 30. Andrews, G. M.)

847. The North Carolina Masonic Digest is a collection of decisions, rules and edicts, as from time to time issued by Grand Masters or the Grand Lodge, which are binding on the lodges until reversed. Many sections of new Code of 1915 have reversed the Digest, but out-

side of that it is in full force and effect. (1917. Dec. 31. Andrews, G. M.)

848. A party lives in the town of "A" long enough to acquire a Masonic residence. He then marries a lady in the town of "B" and removes to that place, where he had lived for eight months, and desired to apply for the degrees of Freemasonry. Held that, under section 112 of the Constitution, the consent of the Lodge at "A" must be obtained.

This is different from the case 431 a, as reported in the Masonic Digest, as there the party regularly lived six months in one place and then removed to the other and resided six months, hence he could claim either, which is not the case in this instance. (1917. Dec. 31. Andrews, G. M.)

849. There is no time limit on which an Entered Apprentice has to apply for the Fellow Craft degree, but he owes it to himself and to the lodge to receive necessary instruction in order that he may proceed. A ballot can be called on an elected candidate when he presents himself for passing or raising, this being provided for in Section 119. (1917. Dec. 31. Andrews, G. M.)

850. The provision for continuous membership in Section 138 of the Constitution and for provisional dimits in 182 are to accomplish substantially the same purpose. Section 182 does not limit Section 138, but applies the same to instances of formation of lodges, U. D. (1917. Dec. 31. Andrews, G. M.)

851. Its object is to provide for continuous membership in the event of a Mason moving his residence. (1917. Dec. 31. Andrews, G. M.)

852. In construing the Constitution 124, headed "Favorable Ballot" the words "if for initiation," in line five should be read as though they were "if for the degrees." (1917. Dec. 31. Andrews, G. M.)

853. Under the provisions of the Grand Lodge law, Section 132 and following, a member has a right to demand a dimit if there are no charges pending against him, and his indebtedness to the lodge is fully paid. Indebtedness to a Masonic Temple Company, being a separate body from the lodge, is not indebtedness due to a lodge within the meaning of indebtedness preventing the obtaining of a dimit. (1917. Dec. 31. Andrews, G. M.)

854. A lodge in an incorporated city has jurisdiction over the entire area within the city limits, and the enlargement of the city limits would enlarge the area of the lodge located in the city at the expense of a lodge located outside of the city. (1917. Dec. 32. Andrews, G. M.)

855. It is the duty of a lodge to pay its debts, and if a lodge continues derelict in the payment of its debts, when it is financially able to do so, it may be cause for the Grand Master to arrest the charter. The internal management of a lodge is largely with the lodge, in its discretion, and the Grand Master cannot interfere with such, except in case of abuse of such discretion by the lodge. Hence a Grand Master cannot issue instructions to a Secretary of a lodge as to what course to pursue under given circumstances. (1917. Dec. 32. Andrews, G. M.)

856. It is the duty of a lodge to meet its bills just like an individual, and, if the lodge dues are not sufficient to pay outstanding bills, they should be raised, which can be done by amending its By-laws from a majority vote. It is a wrong to Masonry for lodges to charge so little dues that their treasury would be cramped, and they unable to properly carry out their work as a lodge. If the treasury has the money, it is the duty of the lodge to vote the money out in payment of a bill, and if the membership persistantly refuses to do so, it

would give ground for arrest of charter. (1917. Dec. 32. Andrews, G. M.)

857. In the spring of 1915 the Master and two Wardens, for the benefit of the lodge, signed a note to pay for a Grand Lecturer, and at the conclusion of the Lecturer's engagement the lodge ordered the money reimbursed to the Master and Wardens out of the first money which came into the treasury after certain payments which have since been made. The Secretary has refused to sign the order for the amount advanced the Lecturer. The old Treasurer wishes to pay the debt, and the new Treasurer requests the turning over to him of the money on hand. (1917. Dec. 32. Andrews, G. M.)

858. It is the duty of the Treasurer to account to his successor for all moneys in his hands, for which warrants have not been drawn by the Secretary to pay out, therefore, the money should be delivered to the successor Treasurer. (1917. Dec. 37. Andrews, G. M.)

859. It is the duty of the Secretary to draw any warrant for which the lodge has issued the order, for he, like other officers, is amenable to the By-laws of the lodge. Otherwise, he may be proceeded against by the lodge. (1917. Dec. 33. Andrews, G. M.)

860. It is the duty of the lodge to pay its debts, and not to accept a service or benefit for which it agrees to compensate without paying money for the same. A refusal to do so is good ground for a Grand Master to arrest a charter of a lodge so acting. (1917. Dec. 33 Andrews, G. M.)

861. The action of the Grand Lodge on an appeal, in setting aside the action of its subordinate lodge which expelled Masons, nullifies the trial as though they had never been suspended or expelled. (1917. Dec. 33. Andrews, G. M.)

862. A lodge member has a right to object to the admission of a visiting brother. (1917. Dec. 33. Andrews, G. M.)

863. During the past year, your Grand Master found it necessary to arrest the charter of one lodge, because of the action of that lodge in dealing with a crime against Masonry and morality. The entire matter is before you for such action as you see fit. The object of punishment is not to inflict hardships upon one who may err, as it is to be a lesson and a warning to others not to follow in his footsteps. Had the lodge whose charter was arrested imposed a punishment on the brother convicted of a crime, which punishment was adequate to the same, no action would have been taken. However, for a serious Masonic and moral crime, which amply justified expulsion, a definite suspension of ninety days was thought inadequate, and hence this action was taken. (1917. Dec. 33. Andrews, G. M.) Committee on Appeals add: We approve action of Grand Master in arresting charter for ground stated in his report. (1917. Rep. 176.)

864. In these days when there is so much enacting of laws by Congress and State Legislatures, it is not unnatural that the similar idea has grown up in Masonry. If one will examine the ancient Constitutions, he will find a great deal that is fundamental in Masonry, and on those fundamentals practically all the Masonic law can be built up by the rulings of the Grand Master, which in turn are reviewed by the Committee on Jurisprudence, and then by the approval of the Grand Lodge enacted as controlling in their principles. It does seem that very often we have too much law, as the detailed enumeration of methods and courses leaves nothing to the common-sense of a Mason to work out. Of course, fundamental provisions have to be laid down clearly and unequivocally, but the details arising out of

fundamentals should be provided for by decisions of the Grand Master, on which edicts of the Grand Lodge could be based, as they will adjust themselves to the time and the people for which they are made, and not be burdensome or irksome to a growing fraternity holding to the landmarks of Masonry. Only last year did the Grand Lodge reverse a ruling as to the number of candidates that could be obliged at one and the same time, as the prior ruling had been found utterly unsuited to the needs of lodges in towns exceeding 15,000 inhabitants. (1917. Andrews, G. M., page 71.)

865. Where brother was tried and indefinitely suspended and the evidence did not justify the verdict rendered the action of the lodge was ordered set aside, and the charges dismissed and he be restored to membership in good standing. (1917. Rep. 175.)

866. Where a lodge in 1912 tried and indefinitely suspended a member which the testimony shows, we believe, was an excessive penalty, and that brother having made reparations as far as he can and the lodge not having answered for petition for reinstatement he is ordered restored to all rights and privileges of Masonry as a non-affiliate Mason, in accordance with Section 177 of the Code.

867. In the appeal from "X" Lodge which acquitted Brother "B" charged with un-Masonic conduct, the specification being have defrauded a brother in a business transaction your Committee considered the evidence and approved the action of the lodge in acquitting him. (1917. Rep., page 175.)

868. The committee approves the action of the Grand Master in arresting a charter on the counts stated in his report and recommends the matter of the resolution of the charter be referred to the incoming Grand Master for action in his discretion.

869. I have found it necessary to refuse a special dispensation to a large number of our lodges to confer all three degrees in one night. The requests for such dispensations have been numerous and many of them of merit. However, I have considered seriously the advisability of relieving the candidate of the requirement to attain proficiency, and it has been my decision that to do so would in a large measure have its reflection in evil consequences in days to come. I have in each instance referred the matter to the Master, pointing out to him that the degree of proficiency is ascertained and decided by him, and I could not intrude upon this important feature of Masonic work, although realizing the desire of candidates to become Masons. It is my opinion that to permit any laxity in the performance of these important duties would be felt in the future. (1918. Dec. 44. Pridgen, G. M.)

870. I refused a dispensation for a lodge to receive a candidate who had one leg amputated. (1918. Dec. 44. Pridgen, G. M.)

871. I refused a dispensation to receive a candidate who had one foot amputated. (1918. Dec. 45. Pridgen, G. M.)

872. I refused to grant a dispensation for a lodge to receive a candidate who had a stiff knee. (1918. Dec. 45. Pridgen, G. M.)

873. I refused to grant a dispensation to a number of lodges to allow balloting without waiting the constitutional time. The reasons given by the lodges making requests were not without merit. The petitioners in each instance had been called to the service of the country; but, as noted above, I considered the investigation a very important feature in our work. In our patriotism and our enthusiasm, we should not forget the peculiar mission of Masonry, nor should we deviate from its age-worn and time-tired laws and customs. In my opinion

more serious harm might be done Masonry by allowing such dispensations than in any other way. (1918. Dec. 45. Pridgen, G. M.)

874. A man without a thumb and forefinger of his right hand cannot be made a Mason. (1918. Dec. 45. Pridgen, G. M.)

875. A candidate is elected to receive the three degrees of Masonry. If objection is made to advancement, that portion of fees which would cover the degrees not received should be returned to him. (1918. Dec. 45. Pridgen, G. M.)

876. The jurisdiction of a lodge under dispensation is complete over all material residing within the territory extending half way to the nearest lodge on either side, an air-line governing. (1918. Dec. 45. Pridgen, G. M.)

877. A lodge has jurisdiction over a dimitted or suspended Mason residing within its territorial jurisdiction for the purpose of trial for a Masonic offense. (1918. Dec. 46. Pridgen, G. M.)

878. Citizenship in the United States of America is not a requirement in the qualification of candidate. If a person can qualify otherwise under the Code of 1915, he can petition for the degrees of Masonry. (1918. Dec. 46. Pridgen, G. M.)

879. A lodge cannot receive a petition of a candidate who has not resided within its jurisdiction for twelve months, unless waiver of jurisdiction from the lodge in whose territory he last resided for twelve months has been first obtained. (1918. Dec. 46. Pridgen, G. M.)

880. A man subject to epileptic fits cannot be made a Mason, as this trouble is practically incurable and might be of great embarrassment. (1918. Dec. 46. Pridgen, G. M.)

881. A man who has lost one foot and who uses and artificial foot is not physically qualified to receive the degrees in Masonry. (1918. Dec. 46. Pridgen, G. M.)

882. A Master-elect, or any other officer, can be installed by proxy, but should be made acquainted with the obligation of the office and consent thereto in person before performing official acts. (1918. Dec. 46. Pridgen, G. M.)

883. A Master duly installed must serve his full term to be a Past Master. (1918. Dec. 47. Pridgen, G. M.)

884. If charges be preferred against a member who has been previously suspended, he must be notified of the charges in the same manner as if he were a member in good standing and be summoned to appear for trial as provided for in the Code. (1918. Dec. 47. Pridgen, G. M.)

885. A lodge conferring degrees on a candidate not a resident of its jurisdiction the required length of time violates the law and must pay to the lodge holding legal jurisdiction its usual fee required in its By-laws for the degrees, and is further subject to such other penalty as the Grand Master may see fit to inflict. (1918. Dec. 47. Pridgen, G. M.)

886. When the charter of a lodge is arrested, the nearest lodge may legally accept petitions from the territory claimed by such lodge until its charter has been restored. (1918. Dec. 47. Pridgen, G. M.)

887. A candidate residing in the jurisdiction of a lodge the required length of time petitions the lodge at his old home in another jurisdiction for degrees, he is elected and initiated. Objection is raised by the lodge holding the legal jurisdiction to passing and raising and claim is made for its usual fees. It is decided that the lodge holding legal jurisdiction was entitled to its usual

fees for the degrees, and further, that there could be no splitting of the fees between the two lodges. (1918. Dec. 47. Pridgen, G. M.)

888. A decision under Sections 96 and 98 of the Constitution, Code 1915, that a candidate nearer a lodge in the State of Georgia, though living in North Carolina, may apply to the lodge in Georgia, or vice versa, by virtue of a treaty between the Grand Masters pending action of the Grand Lodge of Georgia. (1918. Dec. 447. Pridgen, G. M.)

889. Decided that a Masonic lodge is not a collecting agency for personal debts, and reference made to Section 81, Code 1915. (1918. Dec. 47. Pridgen, G. M.)

890. A decision, Section 151, Code 1915, that suspension for non-payment of dues is an indefinite suspension, the brother is made a non-affiliate, and the lodge must vote upon him before he can be restored even though he pay all arrearages. (1918. Dec. 47. Pridgen, G. M.)

891. A member cannot be suspended for non-payment of dues for a failure of less than a period of one year. If delinquent for one year, due notice is given, but no summons issued, that he should appear before the lodge at a fixed time to show cause why he should not be suspended for non-payment of dues. Upon a date fixed in the notice, the lodge by a majority vote excuses him, grants him further time, or suspends him. (1918. Dec. 47. Pridgen, G. M.)

892. A candidate must be a bona fide resident continuously for twelve months in the jurisdiction of a lodge, regardless of his age, before he can petition for the degrees, unless waiver of jurisdiction has been first obtained from the lodge in whose territory he has resided continuously for twelve months. He must be twenty-

one years of age at time of initiation. (1918. Dec. 48. Pridgen, G. M.)

893. A lodge may sell, donate or otherwise dispose of its property in any manner that it sees fit, provided, the action taken is done in accordance with Masonic custom that is, as all other lodge matters are transacted. (1918. Dec. 48. Pridgen, G. M.)

894. A man serving a sentence of six months on public roads may have charges preferred against him at any time, but undue advantage should not be taken of his situation. His conviction and sentence by a court does not prejudice his rights as a Mason, as he must be tried on a fixed charge and on the merits of the charge alone. (1918. Dec. 48. Pridgen, G. M.)

895. A brother whose dues are paid and who is clear on the books and under no charges is entitled to his dimit and the lodge has no wish in the matter. It is fixed by law. (1918. Dec. 48. Pridgen, G. M.)

896. Every officer of the Grand Lodge and of a subordinate lodge is required by edict of the Grand Lodge to obtain and burn any cipher work that should come to his attention. The possession of, or the use of, such works is in violation of the constitution of the Grand Lodge and a serious Masonic offense.

(a) If a Mason should refuse to deliver up a cipher work, he should be tried and expelled, whether in good standing, dimitted or suspended. (1918. Dec. 48. Pridgen, G. M.)

897. Material living in North Carolina, but nearer to a lodge in the State of Virginia, may apply to a lodge in Virginia. He would have the right to express a preference for a lodge in North Carolina, being within the jurisdiction of The Grand Lodge of North Carolina. It would be a matter of preference on the part of the candidate. (1918. Dec. 48. Pridgen, G. M.)

898. Four members of a lodge were tried and expelled; three appealed to the Grand Lodge and were re-instated; the fourth member did not appeal. Decided that the three members re-instated by the Grand Lodge were members in good standing and their status the same as before the trial; that is, they were Masons against whom charges had been preferred and are still pending. The action of the Grand Lodge simply sets aside the trial.

(a) The fourth member, who did not appeal to the Grand Lodge, stands expelled because he forfeited his right by failing to make an appeal in due form, thereby acquiescing in the decision of the lodge.

(b) His only redress is a direct appeal to the Grand Lodge. (1918. Dec. 48. Pridgen, G. M.)

899. A member in a distant city receiving a legal summons, who can not, because of distance, ill health, or any other good reason, respond to the summons, should acknowledge the summons and state his inability to appear.

(a) His failure to acknowledge and state his reasons for not appearing would be a Masonic offense. (1918. Dec. 49. Pridgen, G. M.)

900. A decision under Section 85 of the Constitution, Code 1915, states:

“No brother should be elected Master of a lodge unless he shall have previously been installed as Master or as a Warden, except when no such brother who is so qualified and consents to act as Master shall be found among the members.” (1918. Dec. 49. Pridgen, G. M.)

901. A man who is physically able and qualified in all other ways to be a Mason, who has good sight in one eye but no sight in the other, is eligible for the degrees. (1918. Dec. 49. Pridgen, G. M.)

902. A member suspended for non-payment of dues must make regular application to the lodge for re-instatement in the form of the usual petition; pay the amount charged against him and allow the petition to follow the usual course; except that a lodge may remit his dues as provided in Section 170 of the Constitution, Regulations 293, and 294, Code 1915. (1918. Dec. 49. Pridgen, G. M.)

903. It is not a violation of Masonic custom or law to solicit the applications of Masons living in the jurisdiction, but whose membership is elsewhere, to affiliate with a lodge.

(a) It is strictly un-Masonic to solicit the petitions of the profane for degrees in any way. (1918. Dec. 49. Pridgen, G. M.)

904. A petition for degrees is received by a lodge, a ballot is taken and found cloudy, and a member files a written objection and asks that the written objection be recorded in the minutes. Investigating Committee reports favorably that three members recommend the candidate. Decided that a written objection is equivalent to a black ball, and its effect is to stop the candidate for as long a period as twelve months. Registering the objection in the minutes has no other peculiar effect, nor can the objection be continued for more than twelve months. (1918. Dec. 49. Pridgen, G. M.)

905. The doctrine of perpetual jurisdiction having been abrogated by the Grand Lodge, a candidate is permitted to move from a jurisdiction and acquire a legal Masonic residence elsewhere. He is not obliged to apply to the same lodge again after twelve months has expired, but can apply to that lodge in whose jurisdiction he legally belongs. (1918. Dec. 50. Pridgen, G. M.)

906. No reason may be required of a brother making objection. It is his right and, until withdrawn, must be respected by the lodge. It is his decision as regards the candidate and, although expressed in a peculiar form, must be respected. (1918. Dec. 50. Pridgen, G. M.)

907. The ballot box is secret, sacred and inviolable. No discussions of any character should be allowed on a ballot for degrees, affiliations, or advancements. The opportunity for irreparable injury to the Craft afforded by discussion upon a ballot is apparent. (1918. Dec. 50. Pridgen, G. M.)

908. A Master has no authority to summon the members or any brother and require them to take oaths and extract from the information concerning a ballot. On account of just such situations the law making the ballot absolutely secret was made. (1918. Dec. 50. Pridgen, G. M.)

909. An applicant for degrees was rejected; one of the Investigating Committee reported unfavorably, two reported favorably. Applicant was a member of one of the most prominent families in the community and since rejection has had much to say to different members, finally accusing a brother of voting the black ball, informed him of the minority report and actually told him of the brother making it. He stated that his information came from a Mason and refused to divulge the name. Decided that it would not be proper to summon the lodge, require them to take oath and testify whether or not each member present at the time of the ballot disclosed any information concerning the same. The only procedure is to file charges against any brother of whom there is proof of guilt and let him stand trial in the usual way. (1918. Dec. 50. Pridgen, G. M.)

910. A man without his right thumb cannot be made a Mason. (1918. Dec. 50. Pridgen, G. M.)

911. A member expelled from a lodge wishes to be re-instated that he might take a higher degree and also that he might increase his insurance. Decided that any lodge, which would so subvert the principles of Masonry as to restore an expelled Mason merely that he might

attain to some personal ambition when he has not been found fit to be a member of the lodge, should have its charter arrested. (1918. Dec. 51. Pridgen, G. M.)

912. A lodge grants a dimit to a brother on October 3rd, upon witten request. Before delivery of the certificate of dimit, it develops that the brother should be tried for a Masonic offense. He could not be located by mail, having left in haste and in secrecy. Decided that the lodge should withhold certificate of dimit, prefer charges against him, sending them by registered mail to his last known address, citing him to appear for trial as provided for in the Code of 1915. Should he fail to appear in a reasonable time from receipt of summons, or the registered letter be returned, the lodge should proceed with the trial *ex parte*. (1918. Dec. 51. Pridgen, G. M.)

913. The Masonic standing of a brother is determined only in a Masonic lodge. The conviction in a court of law or equity does not affect him Masonically, nor does an acquittal in such court have any affect. If convicted or not convicted by the court, the lodge may, under such circumstances, try him as though the case had never appeared in court. The proper procedure must be observed. (1918. Dec. 51. Pridgen, G. M.)

914. A petition for membership by a non-affiliated Mason, who had been suspended for non-payment of dues, was duly presented. A black ball appeared in the first and second ballots. The petition was declared rejected. A few days later certain members of the lodge were dissatisfied by the rejection and stated that they intended to discuss the same at the next regular communication. Should the discussion be permitted? Decided that there should be no discussion allowed in the lodge. Section 120 and 121 of the Constitution makes it clear that the ballot is absolutely secret and sacred. There can be no discussion without revealing the manner of ballot cast, and it would finally develop upon one

or more brethren and have the effect of placing odium upon him or them.

(a) An applicant for degrees or membership has no vestige of a right in a lodge, excepting the right to make application.

(b) A statement from a rejected applicant for membership would be decided un-Masonic, as the lodge does not care for his opinion. He has already been rejected, which satisfied our law and custom.

(c) There is no penalty for casting a black ball. It is not un-Masonic to do so, whether or not it is suitable to the candidate or any member of the lodge. A brother should be firmly upheld in the exercise of that right, regardless of our opinion as to the qualifications of the applicant.

(d) The secret ballot is a fundamental principle and one of the foundations of Freemasonry and must be protected in every possible way. (1918. Dec. 51. Pridgen, G. M.)

915. Referring to decision of Grand Master Nichols in 1873, a dimitted Mason can deposit his dimit and apply for admission into any regular lodge anywhere, regardless of the jurisdiction in which the applicant lives. This is a right belonging only to a Master Mason and not to a petitioner for degrees. (1918. Dec. 52. Pridgen, G. M.)

916. The Grand Lodge declares that any assessment is illegal, except assessments for Masonic charity; a member being clear on the books of his lodge, except that an item for an assessment not for charity appears thereon, is entitled to a dimit. (1918. Dec. 52. Pridgen, G. M.)

917. A legal Masonic residence for the purpose of making petition for the degrees is acquired only by actual bona fide residence for twelve consecutive months within the territorial jurisdiction of a regular lodge. A petitioner, who has traveled extensively and has not for ten years lived within any one jurisdiction for twelve consecutive

months, must look to that jurisdiction in which he has resided for twelve consecutive months, even though it be more than ten years from date of his petition. (1918. Dec. 52. Pridgen, G. M.)

918. A petitioner living in the jurisdiction of Lodge "A" petitioned Lodge "A" for initiation and was rejected. While yet a resident within the jurisdiction of Lodge "A," he petitions Lodge "B" and Lodge "B" asks Lodge "A" to waive jurisdiction. Can Lodge "A" waive jurisdiction? Decided in Section 99 of the Constitution, Code 1915, that Lodge "A" has a right to waive jurisdiction to Lodge "B" upon request of "B" Lodge, by unanimous vote and by secret ballot, if requested by any member of Lodge "A" present at the time. Due notice should be given all members and action should only be taken at a regular communication; twelve months must have elapsed since his rejection by Lodge "A." (1918. Dec. 52. Pridgen, G. M.)

919. The Grand Lodge of North Carolina does not recognize any of the Grand Lodges of South America. A certificate from any of said Grand Lodges cannot therefore be recognized by any subordinate lodge in this Grand Jurisdiction. The party holding such certificate would be obliged to make petition to take the usual course according to our law. (1918. Dec. 53. Pridgen, G. M.)

920. At an annual communication of the lodge, balloting was begun for election of officers and continued until fifty-eight ballots had been taken and no election. Decided that a lodge cannot be adjourned, but must be closed on the day of opening.

(a) That it would be un-Masonic to mail any data to the membership that would effect the action of the members in an election, but it would not be un-Masonic to notify members urging them to be present for the election of officers, that they might vote for the best interest of the lodge. (1918. Dec. 53. Pridgen, G. M.)

921. A lodge cannot be permitted to ballot on a petition for degrees at a special communication. (1918. Dec. 53. Pridgen, G. M.)

922. Refused dispensation to allow lodge to lessen the time between petition and ballot, as required by the Constitution. (1918. Dec. 53. Pridgen, G. M.)

923. Decided that having held the regular election in "A" Lodge, and the Master-elect refusing to accept the office, and the lodge refusing to elect another after his refusal:

(1) The Master-elect was not guilty of insubordination because he refused to accept and the lodge cannot try him, as it is a matter entirely for his free choice.

(2) The lodge was wrong in refusing to elect another Master.

(3) The lodge has no right or power to hold a special meeting for another election.

(4) The last installed Master should hold the office until his successor is installed. (1918. Dec 53. Pridgen. G. M.)

924. Master has no power to change the hour of meeting, the day or place of meeting, and especially would this be true on election night. (1918. Dec. 54. Pridgen, G. M.)

925. Regulation No. 45 says that a lodge must close on the day it is opened, except in cases of trial, and the Constitution says (Section 84), elections must follow Grand Lodge rules and usages. The usage of the Grand Lodge is to ballot all night if necessary. Therefore, the Master would have acted properly in prolonging the ballot in the lodge beyond midnight, but the lodge must be closed before the arrival of another day. (1918. Dec. 54. Pridgen, G. M.)

926. The Master is supreme in the lodge and the lodge cannot appeal from his decision, but any member

can appeal to the Grand Master or Grand Lodge in proper form. [Constitution, Section 175.] (1918. Dec. 54. Pridgen, G. M.)

927. Elections should proceed in the regular way from highest officer down, and not skip, contrary to the usual usage. (1918. Dec. 54. Pridgen, G. M.)

928. Section 133 of the Constitution allows a lodge to apportion the fees for degrees as it pleases. It is permissible for a lodge to provide that so much shall accompany the petition, so much be paid before the first, so much before the second, and so much before the third degree, the fees to be paid before the degree is conferred and not to be less in total than that provided by the Constitution. (1918. Dec. 54. Pridgen, G. M.)

929. No form printed in the Code supersedes the Constitution. Forms appended to the Constitution and printed as an appendix to the issue of 1915 are merely used as a suggestion for uniform action and are not laws or binding, unless specified for use by some section of the Constitution or Regulations. (1918. Dec. 54. Pridgen, G. M.)

930. A Blue Lodge is not required to have jurisdiction of the hall it uses.

It is permissible to join with other Masonic Bodies to build a Temple. The Grand Lodge expresses the wish that Blue Lodges own their halls, but has no law that must do so. [Regulation 202]. (1918. Dec. 54. Pridgen, G. M.)

931. Is not a violation of law to use the funeral service as printed in Bahnson's Manual. The Grand Lodge sells them. It is in use all over our Grand Jurisdiction. The Grand Lodge has never restricted the Master to any one form by law, and has more than once refused to adopt some form suggested at a Grand Session. My opinion is that the new form printed as an

appendix to the new Code was not formally adopted with the Code, but was added to it as a suggestion for uniformity in the service among lodges. (1918. Dec. 55. Pridgen, G. M.)

932. (1) A lodge officer can resign by consent of the lodge and with the approval of the Grand Master. (Constitution, Section 88).

(2) If not installed, he cannot resign, as installation makes the office and not the election. (Regulation 158.)

(3) That a brother cannot be made to accept office. It must be of his free choice and, if not so, such installation would be void and the old officer would hold over. [Regulation 160.] (1918. Dec. 55. Pridgen, G. M.)

933. The Master cannot declare the action of a lodge void except in the case they have acted contrary to the Constitution and law provided for their government. He can require the lodge to obey the laws, resolutions and edicts of the Grand Lodge, and it is his sworn duty to do so. [Regulations 217-218.] (1918. Dec. 55. Pridgen, G. M.)

934. Decided that, when a Grand Lodge of Foreign Jurisdiction will not waive jurisdiction, and, whereas our Code requires that either a waiver from the former jurisdiction must be had or a legal Masonic residence in this Grand Jurisdiction must be obtained, the applicant will have to wait the time required by the Constitution before applying to North Carolina lodge for the degrees. [Constitution, Section 112.] (1918. Dec. 55. Pridgen, G. M.)

935. It appears from the report of my special representative sent to investigate the matter in "W" Lodge, from the certified report of the Reference Committee of the lodge, and from the certified copy of the minutes of the lodge, which all agree, that:

(a) The Senior Warden of "W" Lodge, acting as Master in the absence of the Master, purposely held meetings of the lodge, knowledge of which was kept from certain members for a certain purpose.

(b) At the meeting he refused to allow a ballot on the advancement of the candidate when demanded by a brother member of that lodge.

(c) Without testing the proficiency of the candidate in open lodge, he passed and raised the candidate and confided to others that he was doing it secretly.

(d) There were seven members present, and it was a legal lodge.

Decided:

(1) That the Senior Warden has violated his obligation to obey, support and maintain the laws of the Grand Lodge of North Carolina, and he seems to have done so willfully.

(2) He has violated Section 125 of the Constitution requiring a definite period of waiting before a rejected candidate can be balloted upon again. He has also violated Sections 119-120, which give every brother a right to call for ballot on advancement.

(3) He has violated the right of a secret ballot when demanded, (Regulation 119.)

(4) It is not lawful to pass or raise a candidate without an examination in open lodge as to his suitable proficiency.

(5) The matter is one for the lodge, which should prefer charge against the Senior Warden, in due form, try him in the manner prescribed in the Code, and, if found guilty, fix the penalty. (1918. Dec. 56. Pridgen, G. M.)

936. Was requested to suspend the Master of "X" Lodge from office, so that he might be tried for un-Masonic conduct. The charges were that he held a meeting without notice to the Craft; that without a ballot, he raised a brother Fellow Craft, who had been

stopped at a former meeting; that the candidate had not shown suitable proficiency before raising, entitling him to advance.

The Master of this lodge wrote me suggesting that he may have been ignorant of Masonic law, and that they would have a Lecturer come to them to teach the authorized work, as well as to acquaint them with the law and how to find it. He apologized for any violation, claiming that it was not an intentional violation of the law nor disrespect toward this Grand Body.

Upon examination of facts reached and sent the following decision on the case to the lodge with charges and admonitions to be read to them.

1. The Master has done no wrong, has violated no Masonic law, and is not liable to suspension to reprimand. (This is derived from the certified reports of the representative, minutes and other papers.)

The facts found were:

(a) The Master held a meeting on a regular meeting night.

(b) The candidate had been stopped from taking his Master's degree two or three years before this.

(c) The lodge had made many changes and a new Master was in office who seemed to be trying to get up all the old material left over from other terms.

(d) This brother was among several who presented themselves on this night.

(e) He was examined in open lodge as to suitable proficiency and was pronounced suitable by the Master.

(f) There was no objection made, no ballot called for, and the Master ordered him prepared and raised him.

2. It is not necessary to notify members of a regular meeting. It is their duty to be there, as they have twelve months' notice in advance.

3. It is legal to do work or any other business at a regular communication of a lodge.

4. After his oath of office, the Grand Lodge places full trust in the Master to see that the Grand Lodge laws are obeyed in his lodge, and as the Grand Lodge prescribes qualification necessary before he can be installed, it is assumed by his installation that the installing officer has found him qualified. To avoid endless controversy, the Grand Lodge has ruled that the Master passes on the proficiency of a candidate and can enter no argument as to whether he is capable of doing this or not. The Master alone, therefore, is the Judge.

5. A candidate is elected for the three degrees in Masonry on the original ballot, but any brother has a right to object to his advancement at any time, or demand a ballot on advancement. If a candidate is stopped for advancement by objection, the objection holds for three months, after which time he may present himself again and the objecting brother may again stop him by objection. When a brother has been initiated and passed, and has been denied raising by objection, has waited his three months or longer, he may again present himself, show his suitable proficiency in the preceding degrees, and if no ballot is called for, or no objection is made, he can proceed to take the degree without a ballot as he is already elected to the degree, and, unless asked for, there is nothing to ballot on. (1918. Dec. 59. Pridgen, G. M.)

937. A Senior Warden elected and installed holds until his successor is installed. He can resign by the consent of the lodge and the approval of the Grand Master. As the Grand Master has not approved his resignation, Brother "A" is still Senior Warden of the lodge.

The resignation of the officer should be in writing, or be made in person, so that it might be placed in the record to avoid any future misunderstandings. (1918. Dec. 60. Pridgen, G. M.)

938. Grand Masters cannot rule as to what bills shall be paid first in a lodge. The lodge should determine by vote. (1918. Dec. 60. Pridgen, G. M.)

939. When a new Treasurer is installed, the old Treasurer holds no office and has no right to handle or hold money or other property belonging to a lodge. His duty is to turn over everything to the newly installed Treasurer without hesitation. Should he refuse to do so, he is guilty of a Masonic offense and liable for trial, both in the lodge and the civil courts. [Constitution, Section 89.] (1918. Dec. 60. Pridgen, G. M.)

940. The lodge alone can say what shall be done with the finances, and the Treasurer is only authorized to carry out the wishes of the lodge, never his own. [Constitution, Section 92.] (1918. Dec. 60. Pridgen, G. M.)

941. Motion is made by Brother "A" at a regular meeting. At a subsequent meeting, can Brother "B" make a motion to expunge a part of the motion made by Brother "A" at the former meeting? Is it proper to have the reading and approval of the minutes dispensed with at a regular meeting?

The minutes must be read and approved at the meeting, when made, and by those present and making them. They are simply a record of what was done, as written by the Secretary, and the approval of the lodge after reading is only testimony that they have heard the record read by the Secretary and that he has correctly and truly recorded the actions of the body. [Regulations, 230-284.] (1918. Dec. 60. Pridgen, G. M.)

The minutes cannot be changed or altered at a subsequent meeting by the Grand Master, Grand Lodge, or anyone else. Once they are approved as true by those making them, they must stand forever. [Regulations, 230-231-232 and 287.] (1918. Dec. 60. Pridgen, G. M.)

942. Regulation 287 plainly states that this applies to subordinate lodges also, while Regulation 230 says that a subsequent approval is but placing official sanction on written evidence of facts and has no effect on the facts themselves. Regulation 231 says, when recorded by the Secretary, no amendment or question or act can be entertained which would change the fact or make it conform to a state of facts not existing. The minutes are a record of facts and, once recorded, must stand forever just as recorded. A lodge has no more right to change the minutes of the previous meetings than to change the minutes of a meeting dated 1787.

A new motion may be made to change entirely, or nullify the effect of a motion of a previous meeting, but never to expunge the record or later it in any way, when once recorded.

943. Right to visit is inherent in every Mason of every degree, except when objection is made. Entered Apprentices, Fellow Crafts and Master Masons, may be admitted to lodges of the degree they have obtained, after due trial, strict examination of lawful Masonic information. [Regulation, 331.] (1918. Dec. 61. Pridgen, G. M.)

944. All Masons are agreed as to due trial and strict examination for visitors. As to lawful Masonic information, they may be obtained in three ways:

A. From the examination by the committee of three appointed by the lodge for that purpose.

B. From sitting in a regular open lodge with the brother. (Regulation 332, paragraph 1.)

C. By the declaration of a personally known Master Mason with all three present, i. e., what is commonly known as vouching. (1918. Dec. 61. Pridgen, G. M.)

945. Regulation 337 is not in conflict with Regulation 332, but is only explanatory of paragraph 2 of that Regulation, i. e., the declaration of a personally known

brother that the visitor is a Master Mason, or the right to vouch for a visitor is dependent on the following:

(1) Knowing that he is a Master Mason by having sat in regular open lodge with him.

(2) Knowing that he is a Master Mason by having given him a strict examination privately or otherwise and the lodge deeming the brother competent to conduct such an examination.

(3) Knowing that he is a Master Mason by the declaration of a personally known Master Mason in the presence of the visitor and the brothers vouching for and vouched to, that the visitor there present has sat in a lodge with him or has been strictly examined by him and found worthy provided the Brother vouched to deem the brother making the declarations as competent to take such an examination and is also assured that it is not made casually, but strictly for Masonic purposes, that this will apply to Entered Apprentices and Fellow Crafts as well as to Master Masons in visiting lodges opened in the degree to which they have attained.

I shall be frank enough to say that this is the law as I interpret it, and it seems to have the sanction of ancient usage as seen in MacKay and Mitchell's writing. (1918. Dec. 62. Pridgen, G. M.)

946. A candidate applies for the degrees and is elected. Before taking the first degree, a member of the lodge stops his advancement for receiving the Entered Apprentice degree. Is it necessary to wait thirty days before he can apply again and should the procedure take the form of an entirely new candidate applying for the degrees?

Decided:

(1) Under our new Constitution, Sections 199-124, the candidate would be required to wait twelve months before applying again.

(2) He would apply as in the first instance for the degrees. The ballot or objection is to his initiation, which Section 119 says is right and proper at any time before he is initiated, and which is of same effect as if the applicant was rejected on the first ballot for the degrees. If he had received the first degree, the objection or ballot could only have been as to his advancement, which would require a wait of only three months. This is a departure from the old law. (1918. Dec. 62. Pridgen, G. M.)

947. A candidate is rejected in "A" Lodge in a place where there is also another lodge in Rocky Mount. Will "A" Lodge have to consent to his applying to "B" Lodge and, if so does it require a majority three-fourths, or unanimous vote to grant the request?

Decided:

That the law is not very clear as to what is meant, but must be construed as written. Section 13 of the old Code of 1897 states that a rejected candidate cannot apply to another lodge, without the unanimous consent of the lodge rejecting him. This is left out of the similar section in that clause of the new Code. The new Code, Regulation 21, says that when a candidate is rejected that is the end of it. Regulation 268 says how one rejected may re-apply as to time limit and manner, but not where. Regulations 169-170 says how a waiver can be given over an elected candidate, but say nothing about a rejected candidate. Regulation 171 rescinds the perpetual jurisdiction theory so long held in North Carolina over candidates going out of the State, and the immediately following Section 172 says that perpetual jurisdiction is abrogated in North Carolina.

(1) Therefore, it would be and is decided that a rejected candidate is not the perpetual material of a lodge as heretofore, either in or out of the State, and a rejection holds him to that lodge for twelve months only.

This decision is not to my liking and I hope the Jurisprudence Committee will recommend a reversal and state the position of the rejected material more clearly.

(2) As to the vote of a lodge for a waiver of jurisdiction, I decided that Regulation 170, requiring a three-fourths vote to waive jurisdiction over its material, is in conflict with Section 19 of the Constitution, which requires a unanimous vote for waiver and that the Constitution would hold, and a unanimous vote must be had in such cases. (1918. Dec. 63. Pridgen, G. M.)

948. A brother has been elected as Master of the lodge because the lodge felt that he was the only member qualified to hold office. As he has never served as Warden, can he be legally installed?

Decided:

If request is made by regular action of the lodge, attested over the seal, together with the statement that no brother who has qualified would accept the office, a dispensation would be granted, allowing the installation. (1918. Dec. 64. Pridgen, G. M.)

949. A lodge has the right to accept a petition for degrees from a man who lived in South Carolina, but nearer their lodge than any other, because of an agreement between the Grand Lodge of South Carolina and our Grand Lodge. (1918. Dec. 65. Norfleet, D. G. M.)

950. One with the first finger on right hand cut off at knuckle—that is the third knuckle, counting from extreme end of the finger—and having about one-half inch of flesh projecting from this knuckle is not eligible for the degrees of Masonry. (1918. Dec. 65. Norfleet, D. G. M.)

951. One who has his third finger from the thumb on right hand cut off at second joint from tip of finger is eligible for the degrees of Masonry, if otherwise qualified. (1918. Dec. 65. Norfleet, D. G. M.)

952. A lodge cannot reorganize and leave out some undesirable members without suspending them. (1918. Dec. 65. Norfleet, D. G. M.)

953. Petitioner for the degrees was rejected by ballot; the lodge knew the man to be a good man, but personal differences caused the black ball. Later the petitioner became a soldier, a non-commissioned officer, and the party whose ballot rejected him informed the Master that he was anxious to do the petitioner justice, and if his petition came up again, he would stand by him. I was asked if I could do anything towards letting his petition come up again before the lodge without waiting a year. I replied that I could not, but the brother who blackballed the petitioner for the degrees had done him a great injustice, and, while I was glad that he saw the error of his way, there was no way under the law, by which he could make amends or undo the wrong he had done; and, furthermore, according to the law this brother had been guilty of un-Masonic conduct and cited Section 120 of the Constitution and Regulation 22. I advised that this Section and Regulation should be read to this brother for the good of Masonry, and should be done in open lodge as advice and admonition to others. I further advised that this petition could not be balloted on again in less than twelve months' time, and cited Section 124 of the Constitution and Regulation 26. (1918. Dec. 65. Norfleet, D. G. M.)

954. A petitioner who was reared near a certain village, but for the last four years had been in the army, and a few months ago had been given an honorable discharge, is he eligible for the degrees of Masonry, so far as jurisdiction was concerned?

ANSWER—If the party was in your jurisdiction when he joined the army, the fact that he has been absent, and in the army for four years, will not debar him from applying for the degrees of Masonry. (Section 112 of

the Constitution, Decision 122, Andrews' Digest.) You state that the party was reared near your town; if, however, he resided elsewhere after he was twenty-one years of age, for twelve months, or more previously to joining the army, he is not within your jurisdiction, but is within the jurisdiction of the lodge nearest to him at the time of his residence there. (1918. Dec. 66. Norfleet, D. G. M.)

955. Is there any limit to the number of times a Masonic Lodge could entertain a petition for Masonry?

ANSWER—I find no law that limits the number of times a Masonic lodge can entertain a petition for the degrees of Masonry. Section 125 of the Constitution and Regulation 52 was cited in this case. (1918. Dec. 66. Norfleet, D. G. M.)

956. A petitioner for degrees who is not a citizen of the United States, who had resided in this country for some years, but had never taken out naturalization papers, is eligible for the degrees. They asked if they might entertain the petition. See Section 110 of the Constitution; also, decision 410 in Andrews' Digest. (1918. Dec. 66. Norfleet, D. G. M.)

957. Petitioner for degrees has lived less than twelve months in jurisdiction of lodge, having previously resided in city containing several lodges, is it necessary to get waiver from each lodge in city.

ANSWER—No. See Regulation 166. (1918. Dec. 66. Norfleet, D. G. M.)

958. I have consistently refused to grant any dispensations to set aside the law which requires one lunar month between the time a petition was received and the time it was balloted on. Many cases of merit have been presented, no doubt, but I do not believe I had the right to set aside the law even in such cases as these. I have tried to impress it upon the various lodges who asked

for dispensations that it was not within the power of the Grand Master to set aside the law, but on the other hand it was his sworn duty to see the Constitution and Regulations of the Grand Lodge faithfully carried out. (1918. Dec. 67. Norfleet, D. G. M.)

959. Dispensation refused to allow a petition for degrees to be withdrawn at the petitioner's request, after two of the Investigating Committees had reported thereon. See Section 117 of the Code. (1918. Dec. 67. Norfleet, D. G. M.)

960. Dispensation granted to lodge, to elect and install certain officers to fill the vacancies of officers who had been elected but not installed, and who were called into the service of the Government before their installation. (1918. Dec. 67. Norfleet, D. G. M.)

961. Dispensation refused to allow a petition for membership to be withdrawn at the request of the petitioner, as Grand Master had no right to grant such a dispensation. Section 117 of the Constitution, which states that "no petition can be withdrawn except by unanimous consent of one lodge, etc." (1918. Dec. 67. Norfleet, D. G. M.)

962. Dispensation granted to Phalanx Lodge, No. 31, Charlotte, to confer second and third degrees on several candidates leaving the next day for the war. If Phalanx Lodge complied with Regulations 51 and 119 this dispensation was not necessary; if they did not comply with these regulations, I doubt whether or not I should have granted the dispensation. (1918. Dec. 67. Norfleet, D. G. M.)

963. On December 15, dispensation declined for Excelsior Lodge, No. 261, Charlotte, to receive petition for degrees from a soldier formerly from Syracuse, N. Y., stating that Syracuse Lodge had waived jurisdiction over him. See Section 112, of the Constitution

and Decisions 122 and 539, of Andrews' Digest; also Regulation 167. (1918. Dec. 68. Norfleet, D. G. M.)

964. Where Grand Lodge had arrested charter of lodge, which, for a serious offense against a woman, morality and Masonry, had only suspended the convicted member for ninety days, whose charter restoration was left with incoming Grand Master in his discretion, who restored charter so they could try the member on another charge, which they did and expelled him, held that the succeeding Grand Master could declare charter fully restored for all purposes as a chartered lodge. (1918. Dec. 68. Norfleet, D. G. M.)

965. I have refused the request from other grand jurisdictions and from our own brethren that I issue an edict that each subordinate lodge shall display the flag upon its altar. I am absolutely sure that nowhere on each would that glorious banner be more welcome, more honored, and protected, but there are several reasons for my refusal of this request. In the first place, it would be improper at such a time as this to place anything above the flag for which we are sacrificing all that we hold so dear. In the second place, it is hardly necessary to explain to any good Mason that it would not be convenient, or proper to place the flag above the usual jewels that are required to be displayed upon our altar in a legal lodge. In the third place, I would not so offend the Americanism, nor insult the patriotism, of the Master of any lodge in my Grand Jurisdiction. Surely they will love and honor and protect their flag and the flag of their fathers, but such an edict to compel them to do so would be a reflection upon their Americanism and cast official doubt upon their patriotism. (1918. Dec. 43. Pridgen, G. M.)

966. I have also, at the risk of being criticised, refused all requests to allow lodges to join in public parades. I feel that those who made such requests lost

sight, in their enthusiasm of the moment, of the real function of a Masonic lodge. (1918. Dec. 43. Pridgen, G. M.)

967. It is a Masonic offense for a member to threaten that he will blackball a non-affiliated Mason petitioning for membership. (1918. Rep. 146.)

968. That all members of North Carolina Masonic lodges might make application for membership and be accepted by a military or army lodge duly authorized by charter or dispensation of the Grand Lodge of North Carolina, and upon their election to membership in said lodge, be automatically dimitted from the lodge wherever their membership is held. That, upon their election as members of said army or military lodge, the Secretary shall immediately notify the home lodge of such elections; and upon the dissolution of the military or army lodge in which their membership is held, they shall automatically again become members of the original lodge. (1918. Rep., 158.)

969. We further recommend that the members of the Jurisprudence Committee be furnished with a copy of the rulings of the Grand Master (and of Deputy Grand Master if any as Acting) at least ten days prior to the annual communication are to be reported. (1918. Rep., 159.)

970. Where evidence does not justify the verdict rendered in a trial, Grand Lodge may, upon appeal, restore the brother to all rights and privileges of Masonry, in accordance with Code 177. (1918. Rep., 160.)

971. Masonic lodge is not a debt collecting agency, therefore lodge who has voted for definite suspension, has no right to impose indefinite suspension sentence contingent upon payment of a note. (1918. Rep. 160.)

972. Sentence of suspension for twelve months for disobeying legal summons sustained. (1918. Rep. 161.)

973. We recommend, if practicable, that the auditing of the offices and books of the several Grand Lodge officers, and institutions and enterprises in which the Grand Lodge is interested by doing this by a certified public accountant. (1918. Rep. 165.)

974. QUESTION:—A man applies for the degrees in Masonry and is rejected; after the expiration of one year, can he make application to a different lodge in the same city and can this lodge entertain the petition without first obtaining consent of the lodge that rejected the applicant?

ANSWER—A rejected candidate has the right to apply to another lodge in the same city, provided both lodges have concurrent jurisdiction, if he has waited the twelve months required by the Code; but he should sign a petition similar to the one printed on page 239 of the Code and marked No. 3, in which the question is asked if he has “ever been proposed as a candidate and rejected in any Masonic lodge; if so, give name of lodge.” I was governed by Section 125, of the Constitution, and Regulation 172, in making this ruling. When the petitioner has properly filled out the petition mentioned, it puts the lodge entertaining his petition on its guard and they should make the necessary investigation from the lodge that rejected him.

975. I instructed my representative to visit _____ Lodge and take up their charter, they having received and acted upon the petition of a man who was a resident of West Virginia and not within their jurisdiction. The petition was dated May 13, 1916, and balloted on May 27, 1916, thereby violating Section 116 of the Constitution and Regulation 86. All of the degrees were con-

ferred upon him in one night, evidently because he was in a hurry, so, of course, he could not show suitable proficiency under such circumstances. In this the lodge violated Section 132 of the Constitution and Regulation 119. The petitioner stated that he had never been proposed or rejected by any Masonic lodge, but the Grand Master of West Virginia advised me that he was rejected by Vivian Lodge, Kimball, W. Va., and that at the time he petitioned Helton Lodge, he was still residing with his family within the jurisdiction of Vivian Lodge and had done so for the past ten years. Some of the members of_____Lodge must have known this man well enough to know whether he lived in North Carolina, or at Kimball, W. Va., and all the evidence shows very clearly that the lodge violated Section 101 of the Constitution in regard to "Invaded Jurisdiction." For these reasons it seemed to me that the only thing I could do was to arrest this charter. If the Grand Lodge thinks I have erred, they have the right to reverse my action. (1919. Dec. 31. Norfleet, G. M.)

976. Grand Master has power to remove from office the Master of a lodge for un-Masonic conduct, appoint a commission under Code 166, to 169 to investigate the charges. (1919. Dec. 31. Norfleet, G. M.)

977. During the past year the requests for special dispensations to allow petitions to be voted upon without waiting the required time have been exceedingly numerous. Many of them have, no doubt, been of great merit and deserved consideration, but to have granted any of them would have let down the bars in a way that I did not feel justified in doing, so I have had to refuse to grant all such dispensations and have insisted upon the law being complied with, that each petitioner wait the required thirty days' time before he could be balloted upon. (1919. Dec. 33. Norfleet, G. M.)

978. I have held however, that in the case of a soldier or sailor whose time at home was very limited, suitable proficiency should not be as strict as under ordinary conditions and circumstances. I felt that after a candidate, who was in the active service of our country, had waited the required time and successfully passed the ballot box, he should be entitled to some special consideration in being made a Mason before leaving for overseas duty. (1919. Dec. 33. Norfleet, G. M.)

979. In order to co-operate with our Government in its efforts to conserve the fuel supply by declaring each Monday for a number of weeks to be a holiday, on January 26, 1918, I advised the Masters of all Masonic lodges that I would, upon application, grant special dispensations to them to hold their stated communications on some other night, because of the fact that a very large number of them held such communication on Monday nights. (1919. Dec. 34. Norfleet, G. M.)

980. I have granted a number of special dispensations entirely within the province of the Grand Master, which did not conflict, with any of the fundamental laws of the Grand Lodge, such as to elect or install officers by lodges having failed to do so at the time required by the Constitution, to hold elections and installations of officers taking the places of those whose resignations had been approved; and such other permissible acts of similar nature. (1919. Dec. 34. Norfleet, G. M.)

981. Where the lodge's transcript of a trial did not incorporate the defense and it was claimed that the charge was not made in person and not reduced to writing until some time later, the Grand Lodge ordered the charter arrested. (1919. Rep. 107.)

982. *Whereas*, At a conference of Grand Masters, and their duly approved Representatives, held at Cedar Rapids in the State of Iowa on November 26, 27, 28,

1918, upon the invitation of Grand Master George L. Schoonover, of the State of Iowa, a tentative Constitution was adopted for the organization of an Association to be known and designated as "The Masonic Service Association of the United States," and

Whereas, A resolution was adopted by said conference of Grand Masters, ordering said Constitution to be sent to the several Grand Lodges of the United States of America, inviting said lodges to ratify same, and

Whereas, Said Constitution has this day been presented to The Grand Lodge of North Carolina, and the same has been duly considered; and it is the sense of this Grand Body that said constitution should become a member of said association; now therefore, be it

Resolved, First, that the Grand Lodge of North Carolina does hereby ratify, accept and adopt said constitution, and does hereby become a member of said Masonic Service Association; and does hereby take upon itself the duties and obligations incident to membership therein.

Resolved, Second, that the Grand Master of the Grand Lodge of North Carolina, and his successors in office, be, and they are hereby designated and appointed the Representatives of the Grand Lodge of North Carolina in and to said Masonic Service Association of the United States; and as such, they are hereby clothed with full power in the premises to act for and in behalf of the Grand Lodge of North Carolina, in each and every particular.

Resolved, Third, that in case the Grand Master shall be unable to attend the conferences of the said Masonic Service Association, then he shall be fully authorized to appoint a personal representative under his hand and under the seal of the Grand Lodge of North Carolina, duly attested by the Grand Secretary; such representative to be clothed with the same power as the Grand Master, were he personally present. (1919. Rep. 138.)

983. The Grand Lodge has authority to order a new trial on appeal case for newly discovered evidence. (1919. Rep. page 139.)

984. We recommend that until further legislation be had by the Grand Lodge that the accounts of the Grand Secretary and Grand Treasurer with the Grand Lodge and each other be made as of the year ending with December 31. (1919. Rep. 145.)

985. Grand Master can restore arrested lodge charter upon conditions, namely, (1) that it prefer charges against and expel the offending brother for conduct unbecoming a Mason and (2) that said lodge write a letter of apology to Vivian Lodge of West Virginia, and remit to them the fees it charged for the degrees conferred by the offending North Carolina lodge. (1920. Dec. 24. Grady, G. M.)

986. Where lodge received petition, and in less than one lunar month elected and conferred all three degrees, it was ruled, that the election was declared null and void, and the petitioner a clandestine Mason, not entitled to visit the lodge, until he shall have been regularly elected, and following action taken. Petition be re-referred to a committee; that after a period of thirty days has elapsed thereafter, an election be held provided the committee makes a favorable report, and if he is elected to the degrees then he must be healed by the Master, by his administering to him the three obligations in the E, A., F. C., and M. M. degrees; but the obligations must be administered to him. (1920. Dec 26. Grady, G. M.)

[Compiler's note. Party was not clandestine, but only an irregularly made Mason. Regulations 149 and 150 made full provision for curing irregularities. Regulation 151 reads "Clandestines cannot be healed. Neither a lodge, the Grand Master, nor the Grand Lodge can make legitimate by any process of healing, degrees conferred in an clandestine lodge." A. B. A.]

987. Where lodge conducts trial in a farcical manner the Grand Lodge can order a new trial. (1920. Rep. 25.)

988. Where notice of a trial served on an offending brother was void, in that no charges were specified, yet he obeyed the summons, attending the meeting where he was fully informed of the charges, and requested trial at a certain date, he waived the irregularity, and by accepting the decision of the lodge without appeal, he is bound by its action. (1920. Dec. 32. Grady, G. M.)

989. No appeal lies from a verdict of not guilty by a lodge. (1920. Rep., 109.)

990. Where evidence insufficient to warrant finding of guilty on charge of misappropriation of lodge funds verdict can be set aside. However on charge of un-masonic conduct committee sustains action of lodge. (1920. Rep. 109.)

991. *Whereas*, the Masonic Service Association of the United States, at its meeting at Cedar Rapids, Iowa, on November 11, 12, and 13, 1919, made certain amendments to the tentative Constitution which was framed at the Grand Master's meeting on November 26, 27, 28, 1918, which Constitution was formally adopted by the Grand Lodge of North Carolina at its annual communication in January, 1919; and whereas, there has been added to said Constitution a system of By-laws, together with a declaration of principles, designated therein as the Scope and Plan of said Association; and whereas said Constitution as amended, together with said By-laws and Scope and Plan, have been read to the Grand Lodge of North Carolina, and said Grand Lodge having approved the same, now, therefore, be it

Resolved, First, that said Constitution as amended, together with the By-laws and Scope and Plan, herein before referred to, be, and they are hereby ratified,

adopted and accepted by the Grand Lodge of North Carolina; and said Grand Lodge does hereby assume and undertake to carry out the provisions of said constitution and by-laws.

Resolved, Second, that the Grand Master of North Carolina be, and he is hereby authorized and empowered to draw upon the treasury, from time to time, for such funds as may be necessary in carrying into effect the provisions of said constitution and by-laws; not to exceed, however, at any one time, more than One Thousand Dollars.

Resolved, Third, that in case of national calamity, or local disaster of a serious nature, where funds are necessary for the immediate wants of sufferers, said Grand Master, with the consent of the Grand Secretary and Chairman of the Committee on Finance, may draw upon the Treasury in such amounts as may be necessary to meet the demands of the executive commission of said Association. (1920. Rep., page 106.)

992. Section 151 of Masonic Code provides there can be no indefinite suspensions, and that all suspensions must be for a definite period. (1920. Rep. 110.)

993. Committee on Jurisprudence offer following in lieu of Grand Master Grady's rulings on page 30, lines 23 to 38.

We respectfully submit the following amendment: "Where a lodge becomes defunct an Entered Apprentice or Fellowcraft shall be the material of the lodge nearest his residence and upon filing of the certificate of the Grand Secretary of his standing in the defunct lodge, he shall then have the same status quo in the lodge acquiring jurisdiction, as he had in the defunct lodge. (1920. Rep. 111.)

994. The Grand Master can grant concurrent jurisdiction over a town in favor of another lodge, because of the dormant condition of the lodge having jurisdiction,

and the greater convenience to travel by rail or county road from the territory to a lodge. (1921. Dec. 26. Braswell, G. M.)

995. The Grand Master can suspend a Master from office and under Sections 166-169 of the Code, appoint a commission of three Past Masters to investigate the charges and try him and report recommendations to the Grand Lodge. (1921. Dec. 27. Braswell, G. M.)

996. The Grand Master has authority to arrest a charter for acting upon a petition at a special communication, which petition has previously been rejected, at a regular meeting. (1921. Dec. 27. Braswell, G. M.)

997. It is my opinion, therefore, that a candidate for initiation, whose petition has been rejected, can again petition the lodge, a committee can be appointed, the committee can make its report, *But no Ballot* thereon can be taken until the twelve months have elapsed.

The same rule would apply to petitions for advancement and membership, except that such petitions could be acted on after the lapse of three months. (1921. Dec. 28, Braswell, G. M.)

998. A commission appointed under Sections 165-169 of the Code makes report to the Grand Lodge and the Grand Master has no right to declare a Master expelled and so recommended by a committee. In this case as the term of office has expired he could now be tried by the lodge on the original charges. (1921. Rep. 126.)

999. The Grand Lodge can restore to good standing as a non-affiliate Mason one who has been suspended but who could not get reinstated through his local lodge, where he had lived a life of good character and righteousness. (1921. Rep. 127.)

1000. *Resolved*, That each lodge failing or omitting to file its returns in the Grand Secretary's office on or

before September 1, shall be liable to a penalty of two dollars and fifty cents, and each lodge failing or omitting to file its returns on or before October 1, shall be liable to a penalty of five dollars. The Grand Secretary is hereby directed and required to collect the penalties herein prescribed from those lodges failing to make returns promptly, as herein set out. (1921. Rep. 142.)

1001. Expenses of grand officers are to be paid attending the communications from the residence of the Grand Officer to the place of communication and back to his home within the State, and not outside the State. (1921. Rep. 147.)

1002. Petitioner was elected to the degrees in Masonry and had been initiated. He then moved to the jurisdiction of "B" Lodge and at the request of "A" Lodge the other two degrees were conferred upon him. He never signed the By-laws of "A" Lodge. Some months later the Secretary of "B" Lodge wrote to "A" Lodge for a dimit, stating he had been elected a member of "B" Lodge. The Grand Master held that he was not a member of any lodge, but that he would have to sign the By-laws of "A" Lodge before a dimit could be granted. (1922. Dec. 25. Owen, G. M.)

1003. The son of a Master Mason had petitioned for the degrees in Masonry. At the meeting in which the ballot was taken, the father with two others, were sent out to examine some visitors. While such members were out, a ballot was taken and the petition was rejected. The father objected to the approval of the minutes on account of the fact that he was sent out by the Worshipful Master and was not present at the taking of the ballot and was denied a personal privilege; namely, of withdrawing the petition. The Grand Master ruled that inasmuch as the records showed that these three brethren were present and did not vote and were not excused from voting by the action of the lodge, the elec-

tion was illegal. (1922. Dec. 25. Owen, G. M.) Committee on Jurisprudence adds: If a member of a lodge is in attendance on the communication of a lodge, he is required to vote on a petition unless excused from so doing, by a majority of the lodge; and it is the duty of the Master of the lodge to require such member to come into the lodge and cast his vote on the petition. For this reason the committee approves the action of the Grand Master. However, the committee calls attention to Section 117 of the Constitution of the Grand Lodge providing that "No petition for initiation or membership, received by a lodge, can be withdrawn except by the unanimous consent of the lodge, nor shall any such petition be withdrawn, after a committee on investigation shall have reported unfavorably thereon." (1922. Rep. 111.)

1004. Where an appeal from a lodge verdict finding a brother guilty and suspending him the Grand Lodge reverses the verdict and re-instates him in the lodge, it may require the lodge to issue to him a dimit. (1922. Rep. 91.)

1005. *Resolved*, That the Grand Lodge of North Carolina, A. F. & A. M., approves the purpose of this legislation (Towner-Sterling bill) and does further urge and encourage all the Craft in its jurisdiction to become active and diligent supporters of every effort to improve the mental standards of our people through the improvement of free public schools. (1922. Rep. 111.)

1006. Where evidence submitted was not sufficient to warrant sentence of expulsion, Grand Lodge may remand case for retrial. (1922. Rep. 125).

1007. Indefinite suspension not being recognized, Grand Lodge remanded case for re-sentence. (1922: Rep. 126.)

1008. Whenever the unappropriated funds of the Grand Lodge in the hands of the Grand Treasurer shall amount to \$10,000.00, or more, the Grand Master, Grand Treasurer and Grand Secretary are hereby empowered to set aside from the regular funds of the Grand Lodge this amount, or any part of it, as in their judgment, may be wise, and that these three Grand Officers are further empowered to invest said permanent fund in safe and recognized interest bearing securities. (1922. Res. 128 and 129.)

1009. Lodges may receive the petition for the Fellow Craft and Master Mason degrees of a dimitted Entered Apprentice from a jurisdiction in fraternal relations with it. (1923. Dec. 21 and 107. Webb, G. M.)

1010. Entered Apprentice, unfinished material of defunct U.D. lodge, must first establish such fact, and then is required to pursue the regular course prescribed for petitioners. (1923. Rep. 107.)

1011. Rejected petitioner, while temporarily in another state, petitioned and was elected and the E. A. degree conferred; then the lodge apparently discovered that it had no jurisdiction over the petitioner, and also that he had been rejected by North Carolina lodge, and refused to advance him, and afterwards advised the lodge that it "relinquishes jurisdiction." This certificate "relinquishing jurisdiction" is not a dimit but recommends that petitioner procure an E. A. dimit from out of state lodge, and then present this dimit with his petition for advancement to our lodge, in which lodge it will take the regular course of procedure. (1923. Dec. 21 and 107. Webb, G. M.)

1012. Where degrees conferred by request thirty-one years back, and candidate had never signed by-laws, he is a non-affiliate, and upon the electing lodge receiv-

ing a certificate from the lodge conferring the degrees, to the effect that said candidate had duly received the degrees of F. C. and M. M. in that lodge, at the request of the said electing lodge, that it be directed to issue to the said candidate a dimit upon his paying to said electing lodge one year's dues as provided in its by-laws. (1923. Dec. 21 and 108. Webb, G. M.)

1013. A Fellow Craft, who has been stricken with paralysis and not in physical condition to take the floor-work in the Master's degree cannot be raised, and recommended that paragraph No. 2, of old Section III, be restored. (1923. Dec. 21. Webb, G. M.) Committee on Jurisprudence adds: But recommends that paragraph No. 2, of old Section III, be restored, and that the paragraph of the revised Section be made paragraph No. 3, making said Section read as follows:

SECTION, No. III, Physical Qualification.—

(1) A candidate for initiation must possess no maim or deformity which will prevent him from being properly instructed in the art of Freemasonry and in his own person instruct others by exemplification.

(2) Maim or deformity after initiation shall not prevent the brother from advancement.

(3) Main or deformity shall not prevent a candidate from being initiated, passed or raised, *provided* such candidate can, by artificial means, comply with the provision of paragraph No. 1 of this Section. (1923. Rep. 108.)

1014. Lodge electing as Master one whom it had voted not guilty of violating his obligation, but was guilty on his own statement of facts, Grand Master arrested its charter for its gross immorality in electing and installing such a man as Master, who was guilty on his own statement of an offense against Masonry, morality and common decency, and violation of criminal law of state. (1923. Dec. 23. Webb, G. M.)

1015. The petition for restoration of the charter should state the real reason for the charter having been arrested, and where it is incorrectly stated it will be returned for correction before action by the Grand Lodge. (1923. Rep. 101.)

1016. Grand Lodge upon petition, may restore Mason suspended for non-payment of dues as a non-affiliate. (1923. Rep. 101.)

1017. We, therefore, recommend the following:

First: That a whole-time Educational Field Secretary should be employed, whose duty shall be to organize, prepare and develop the work in the districts in conjunction with the District Deputies.

Secondly: That the Field Secretary shall be appointed by the Grand Master with the advice and consent of the Educational Committee and that all matters pertaining to the Educational work shall be under the direction of the Grand Master and the Educational Committee.

Thirdly: In order to co-ordinate the Educational work that the representatives to the Masonic Service Association shall also be members of the Educational Committee. (1923. Rep. 104.)

1018. Where Lodge U. D. has not complied with Grand Lodge law, charter will be refused. (1923. Rep. 120.)

1019. Upon appeal from conviction, Grand Lodge may affirm finding but reduce term of suspension. (1923. Rep. 121.)

1020. Upon appeal, where trial held at regular communication, and sentence was indefinite suspension, case was remanded for re-trial. (1923. Rep. 121.)

1021. Sentence of reprimand approved, where convicted brother refused to accept offer of arbitration.

The guilt in this case is technical and the offense trivial. (1923, Rep. 121.)

1022. Indefinite suspension (except for non-payment of dues) abolished, hence appeal remanded for new sentence. (1923. Rep. 121.)

1023. Where petitioner for re-instatement was suspended some twenty years ago for profanity, and the lodge was notified of his intention to apply for re-instatement, and it is recommended by the present Worshipful Master, evidence was presented, showing his present high character and standing, the Grand Lodge may reinstate as a non-affiliated Mason. (1923. Rep. 121.)

1024. Grand Master suspended charter of lodge for voting on a petition for affiliation at the meeting at which it was presented. (1924. Dec. 31. Poteat, G. M.)

1025. Grand Master suspended charter of lodge for failure to pay 1922 returns and for long continued disregard of communications from the Grand Secretary's office. (1924. Dec. 31. Poteat, G. M.)

1026. Grand Master can, in his discretion, change order that the charter be arrested, into suspension of charter for reason that caused him to mitigate the sentence. (1924. Dec. 31. Poteat, G. M.)

1027. Grand Master may arrest charter of lodge voting a sentence of two years suspension on a charge of gross immorality. Evidence showed that convicted Mason had personally interviewed a majority of the members present, and had "packed the jury." (1924. Dec. 31. Poteat, G. M.)

1028. Grand Master may arrest charter on account of membership, and for violating an order from the Grand Master. (1924. Dec. 32. Poteat, G. M.)

1029. Grand Master may arrest charter where lodge tried and convicted member for gross immorality and only inflicted punishment of suspension for four years. (1924. Dec. 32. Poteat, G. M.)

1030. Grand Master may arrest charter for carelessness, indifference and ignorance, not countenanced by the Grand Lodge. (1924. Dec. 32. Poteat, G. M.)

1031. Where lodge failed to carry out orders of Grand Master to account for fees for degrees to lodge in neighboring state, and also made no acknowledgement to citation to show cause, Grand Master may arrest charter. (1924. Dec. 32. Poteat, G. M.)

1032. Where lodge was in bad shape, not holding meetings, and unable to function properly, not replying to letters, and District Deputy unable to get date for visitation during six years, Grand Master may arrest charter. (1924. Dec. 32. Poteat, G. M.)

1033. Have soldiers at Fort Bragg the right to petition Phoenix Lodge No. 8, without securing waiver of jurisdiction?

Held that the lodge claiming jurisdiction over an officer or enlisted man in the army or navy at the time of his enlistment continues to hold it as long as he is in the service. In case no jurisdiction is claimed by his home lodge, he may petition Phoenix Lodge after he has resided twelve months or more at Fort Bragg. (1924. Dec. 33. Poteat, G. M.) Jurisprudence Committee (page 147) adds: We approve the ruling of the Grand Master holding that a lodge in this Grand Jurisdiction cannot entertain the petition of an officer or enlisted man in the army or navy unless jurisdiction is waived by the lodge having jurisdiction over him at the time of his enlistment. In case no jurisdiction is claimed by such lodge to having jurisdiction at the time of such en-

listment, he may petition the lodge in whose jurisdiction he has resided for twelve months. (1924. Rep. 147.)

1034. A resolution is offered and lies on the table a month. When it is called up, the original mover asks that it be withdrawn, but the original seconder objects.

Held that the refusal of the seconder to agree to the withdrawal of the resolution is equivalent to a renewal of the original motion, which is, therefore, before the lodge for action. (1924. Dec. 33. Poteat, G. M.)

1035. The Grand Lodge will not lay corner-stones, except when buildings are in their initial stage. (1924. Dec. 33. Poteat, G. M.)

1036. A man coming from another State, employed in the field work of the State Highway Commission, cannot establish a bona fide residence in North Carolina, unless he leaves the Commission and settles down indefinitely. (1924. Dec. 33. Poteat, G. M.) Committee on Jurisprudence *overruled* and said: We do not approve the Grand Master's ruling which holds that "a man, coming from another state, employed in the field work of the State Highway Commission, cannot establish a bona fide residence in North Carolina, unless he leaves the Commission and settles down definitely." He must establish a bona fide residence in North Carolina in compliance with the law of the jurisdiction, but in order to do this he need not necessarily leave the employ of the State Highway Commission. (1924. Rep. 147.)

1037. An applicant who has lost the toes and part of one foot can be made a Mason. (1924. Dec. 34. Poteat, G. M.)

1038. When any brother desires a second ballot on the initiation, passing or raising of a candidate, his request for such ballot must be made in open lodge. (1924. Dec. 34. Poteat, G. M.)

1039. A lodge has no right to assess its members for the support of any eleemosynary institution. Such a course of procedure would be contradictory of our principle of voluntary contribution to worthy objects. (1924. Dec. 34. Poteat, G. M.)

1040. Where rejected petitioner while sojourning had received Entered Apprentice in an out of the state lodge, which declined for lack of jurisdiction to proceed further, and such out of the State lodge refused to issue him certificate as Entered Apprentice following ruling of this Grand Lodge (No. 1011), and candidate had returned to home town, it was held that he must again petition, for the three degrees, the home lodge at his residence, which had previously rejected him, and if elected take the Entered Apprentice as though he had not received it in out of State lodge. (1924. Dec. 34. Poteat, G. M.)

1041. With the consent of his lodge and the approval of the Grand Master any installed officer may resign. (1924. Rep. 148.)

1042. Grand Master has not in North Carolina power to make a Mason at sight. (1924. Dec. 34. Poteat, G. M.)

1043. With approval of Grand Lodge, the location of lodge may be permanently moved. (1924. Dec. 34. Poteat, G. M.)

1044. That lodges which are not represented, as provided by law with respect to such representation, in three successive annual communications of the Grand Lodge, be deprived of their charters, *provided*, that for good cause shown and upon recommendation of the District Deputy of the district in which said lodge is located, the Grand Master may extend such time for one additional year. (1924. Rep. 148.)

1045. That non-Masonic professional counsel be forbidden to appear in Masonic trials. (1924. Rep. 148.) [This overrules Nos. 319 and 389.]

1046. That the Grand Secretary be required to issue to the subordinate lodges, at their expense, a uniform paid-up dues card, which all subordinate lodges must use. (1924. Rep. 148.)

1047. That candidates be required to present themselves for passing and raising within a reasonable time or be disqualified. (1924. Rep. 148.)

1048. "That the law with respect to maimed applicants be made less stringent." The law, as amended at the 1923 Communication of this Grand Lodge is sufficiently liberal. (1924. Rep. 146.)

1049. This Grand Lodge is at present in fraternal relations with all of the Grand Lodges of the United States, all of the Grand Lodges of Canada, with England, Ireland, Scotland, Belgium and Portugal in Europe, with all the Grand Lodges in Australasia except the United Grand Lodge of Queensland and the Grand Lodge of Tasmania; and with Cuba, Costa Rica, the Grand Lodge Valle de Mexico, and the Phillipine Islands. (1924. Rep. 94.)

1050. Your committee would divide the Grand Lodges with which we are not now in fraternal relations, into the following classes:

(1) Those which are clearly entitled to recognition but about whom sufficient information has not in the past been available to committee.

(2) Those whose organization is not that of a sovereign Masonic body.

(3) Those whose ritual is not such as we can recognize.

(4) Those whose constitutional foundation is abhorrent to what North Carolina recognizes to be fundamental in Masonry.

Your committee would recommend that there be laid down at the outset those prerequisites which North Carolina would insist upon in order that any body claiming to be Masonic may be recognized as a sovereign Masonic Grand Body with which we may be in fraternal relations, and recommend that the following to this end be made a Regulation for the government of this Grand Lodge:

“Fraternal recognition may be extended to a Grand Lodge when it appears to the satisfaction of this Grand Lodge, a committee having first considered and reported thereon:

1. That such Grand Body has been formed lawfully by at least three just and duly constituted lodges, or that it has been legalized by a valid act issuing from the Grand Lodge of North Carolina, or from a Grand Body in fraternal relations with this Grand Lodge.

2. That it is an independent, self-governing, responsible organization with entire, undisputed and exclusive dogmatic and administrative authority over the Symbolic Lodges within its Jurisdiction, and not in any sense what ever subject to, or dividing such authority with a Supreme Council, or other body claiming ritualistic or other supervision or control.

3. That it makes Masons of men only.

4. That it requires conformity to the following, which the Grand Lodge of North Carolina considers necessary in a Masonic Body:

(A) Acknowledgment of a belief in God the Father of all men.

(B) Secrecy.

(C) The Symbolism of Operative Masonry.

(D) The division of Symbolic Masonry into the three degrees practiced in North Carolina.

(E) The legend of the Third Degree.

(F) That its dominant purposes are charitable, benevolent, educational and for the worship of God; and that it excludes controversial politics and sectarian religion from all activities under its auspices.

(G) The Sacred Book of the Divine Law, chief among the Three Great Lights of Masonry, indispensably present in the lodges while at work.

5. That it occupies exclusively its territorial jurisdiction or else shares the same with another by mutual consent; and that it does not presume to extend its authority into, or presume to establish lodges in a territory occupied by a lawful Grand Lodge, without the expressed assent of such supreme governing Masonic body."

Your committee, therefore, in the countries mentioned, has given careful attention to the history, organization, allegiance and practices of the several Grand Lodges, and recommends that The Grand Lodge of North Carolina enter upon fraternal relations with the following, with exchange of representatives:

The Grand Lodge of Panama,

The Grand Lodge of the United States of Venezuela,

The National Grand Lodge of Columbia at Barranquilla,

The Grand Lodge of the Republic of Columbia at Bogota,

The National Grand Lodge of Columbia at Cartagena,

The Grand Lodge of the Republic of Guatemala,

The Grand Lodge of Peru,

The Grand Lodge of Equador,

The Grand Lodge Cuscatlan of Salvador,

The Grand Lodge of Honduras,

The Grand Lodge of Porto Rico.

We find that each of these meets the requirements which we have set up, and is recognized by other Grand

Lodges which have adopted practically identical requirements.

Second, There are several Grand Bodies of Europe which we do not recognize. We are at present in fraternal relations with England, Scotland, Ireland, Belgium, Sweden and Portugal only, in Europe.

We find that the following meet our requirements and we therefore recommend that The Grand Lodge of North Carolina enter upon fraternal relations with them and invite exchange of representatives:

The Grand Orient of the Netherlands,
The Grand Lodge Alpina, Switzerland,
The Grand Lodge of Vienna, Austria,
The Grand Lodge of Norway,
The Grand Lodge of Denmark.

Third, In Africa, we find that the Grand Lodge of Egypt, at Cairo, is recognized by a large part of the Masonic Grand Lodges of the world, including the British Grand Lodges, Virginia, Georgia, Maryland, Nebraska, Colorado, Illinois, Arizona, Missouri, and Montana. While our information concerning this Body is not as complete as it is in our other recommendations, we feel justified in recommending that this Grand Lodge be recognized and an exchange of representatives arranged.

Fourth, In Australasia, we find that the Grand Lodge of Tasmania and the United Grand Lodge of Queensland comply with every requirement; that recognition seems to have not been withheld from them by any Grand Lodge which has adequately investigated the matter of extending fraternal acknowledgment; and we therefore recommend that fraternal relations be begun with them, with invitation to each for the exchange of representatives.

In the cases of other Grand Bodies, we either find conditions existing that seem to render further delay advisable, or else we are without such information as

would justify us in recommending at this time recognition of them. (1924. Rep. 94.)

1051. Grand Lodge may conditionally restore arrested charter. (1924. Rep. 123.)

1052. Grand Lodge may issue duplicate charter to replace original destroyed by fire. (1924. Rep. 123.)

1053. Per capita for Grand Lodge fixed at Two Dollars and Fifty Cents* (\$2.50.) (1924. Rep. 133 and 154.)

1054. The Grand Master refuses permission to allow an appeal to the subordinate lodges of this Grand Jurisdiction for the purpose of aiding in the building a lodge room for one of such subordinate lodges. (1924. Rep. 147.)

1055. A resident alien is eligible to petition for degrees. (1924. Rep. 150.)

1056. *Resolved*, That whenever any Master Mason shall have become proficient in the degrees of Symbolic Masonry, and has proven his proficiency to the satisfaction of the Master of any lodge in this Grand Jurisdiction, the Secretary of such lodge shall be authorized and he is required, on request of such brother becoming proficient, to issue to such brother a certificate of his proficiency signed by the Master, attested by the Secretary, and bearing the seal of the lodge. (1924. Rep. 155 and 161.)

1057. On appeal of Junior Warden from action of his lodge suspending a member for five years after trial for receiving property known to be stolen, the appeal is sustained, and as the sentence is not commensurate with the gravity of the offense, the case is remanded to lodge that a judgment may be pronounced in keeping with the serious character of the charge. (1924. Rep. 156.)

1058. Charges must be drawn so as to sufficiently apprise the accused of what offense and dereliction he is charged with, as to enable him to prepare his defense, and also to justify the admission of the evidence which the lodge received in support thereof, and its findings thereon. (1924. Rep. 156.)

1059. After conviction the lodge must fix the punishment, and cannot delegate such power to Master. In such instance, case was remanded for sentence. (1924. Rep. 156.)

1060. On an appeal from an expulsion for un-Masonic conduct, it is not the duty of Grand Lodge to pass upon the weight of the testimony as this was the province of the trial lodge, but it does find that there was some evidence upon which the lodge could base its findings and recommends that the action of the lodge be sustained. (1924. Rep. 156.)

1061. An expulsion for un-Masonic conduct in conniving at the secreting of his goods in violation of the National Bankruptcy Law was approved. (1924. Rep. 156.)

1062. Where appeal in a case of twelve months suspension was not in proper form, no action taken thereon. (1924. Rep. 156.)

1063. Statement of reasons or grounds for appeal should be set out, and in the absence of such statement after carefully examining as possible the record, which appears regular, the suspension for five years is approved. (1924. Rep. 156.)

1064. Grand Master may arrest charter of lodge for failing to hold meeting for one year past. (1925. Dec. 32. Everett, G. M.)

1065. Grand Master may arrest charter of lodge for failing to pay up Grand Lodge dues for the past year. (1925. Dec. 32. Everett, G. M. 1925. Rep., 117.)

1066. Grand Master may arrest charter of lodge, where ill feeling and dissatisfaction prevailed, and it had not met for over a year. (1925. Dec. 32. Everett, G. M.)

1067. Grand Master may arrest charter of lodge for lightness of sentence imposed upon convicted guilty member. (1925. Dec. 33. Everett, G. M.)

1068. Grand Master may cite lodges to Grand Lodge to show cause why charter should not be arrested for non-payment of dues. (1925. Dec. 34. Everett, G. M.) [See also No. 1084.]

1069. A lodge may hold its communications on the first floor, provided all precautions are taken. (1925. Dec. 34. Everett, G. M.)

1070. That a man who has lost his leg may be made a Mason, if, by artificial means he can comply with paragraph 1, of Section 117. (1925. Dec. 34. Everett, G. M.)

1071. That a man whose grandmother is a negro is ineligible to the degrees in Masonry. (1925. Dec. 34. Everett, G. M.)

1072. That a man who has lost both feet just above the ankle, but has artificial feet and can be properly instructed in the work, as well as impart the same to others, may be made a Mason. (1925. Dec. 34. Everett, G. M.)

1073. That a man who has lost his left hand, but who can, by artificial means comply with the provisions of paragraph 1, Section 117, may be made a Mason. (1925. Dec. 35. Everett, G. M.)

1074. That a brother who has been given a receipt in full for annual dues cannot be suspended for non-payment of dues, if the lodge subsequently increases its annual dues. (1925. Dec. 35. Everett, G. M.)

1075. That the petition for the degrees of one who cannot comply with Section 118 of the Code, "continuously a bona fide resident of the State, and of the jurisdiction of the lodge so petitioned for at least twelve months immediately preceding" cannot be entertained by a lodge in this jurisdiction. (1925. Dec. 35. Everett, G. M.) [See also 1925 Rep. 137.]

1076. That a man who can neither read nor write, and cannot even sign his name, is not eligible to the degrees in Masonry and we recommend the adoption of the following regulation, to be annotated to Section 116, and Section 119: "Reg. 260. To be eligible to receive the degrees in Masonry a candidate must be able to read and write, and must sign his petition for the degrees in his own proper handwriting. (1925. Dec. 35. Everett, G. M. Also 1925 Rep. 137.)

1077. That a Fellow Craft who presents himself for advancement and who stood the examination and who was prepared and obligated but who refused to give evidence that the obligation was free and voluntary on his part was properly led out of the lodge. (1925. Dec. 35. Everett, G. M. Also 1925 Rep. 137.)

1078. That a man with his right arm off above his elbow cannot, even by artificial means, comply with paragraph 1, Section 117, and is therefore ineligible to the degrees in Masonry. (1925. Dec. 35. Everett, G. M. 1925. Rep. 138.)

1079. That a candidate for initiation whose petition has been rejected may again petition the lodge after eleven months, a Committee may be appointed and make

its report, but no ballot thereon can be taken in less than twelve months from the date of rejection. (1925. Dec. 36. Everett, G. M. 1925. Rep. 138.)

1080. That a petition from one rejected in a Sister Grand Jurisdiction and who has removed to this Grand Jurisdiction may have his petition received and acted upon in this Grand Jurisdiction, provided he can comply with Section 118 of the Code 1924, notwithstanding, the fact that said sister jurisdiction claims jurisdiction over a rejected petitioner for five years even though said petitioner removes to another Grand Jurisdiction. (1925. Dec. 36. Everett, G. M. 1925. Rep. 138.)

1081. We approve the action of the Grand Master in holding that a member of a lodge caught with liquor in his possession was guilty of a Masonic offense, but this Committee holds that Section 151, sub-section 6, does not apply, and the lodge would vote the penalty to be inflicted upon the offending brother, whereas Section 151, subsection 6, provides automatic expulsion for one convicted of selling intoxicating liquor in violation of the laws of North Carolina, or of the United States of America. (1925. Dec. 36. Everett, G. M. 1925. Rep. 138.)

1082. In the matter of "A. B." holding his Masonic membership outside of North Carolina, who presented to Phalanx, No. 31, an application for affiliation in conformity with Section 146 of the Code 1924, together with his duly signed request for dimit and the necessary date giving satisfactory evidence of his good standing and prepayment of dues in his lodge, as required, we recognize that the Grand Master was justified, by his interpretation of the law in holding that Phalanx Lodge, No. 31, had no right to accept such petition, appoint a Committee for Investigation, received its report, and proceed to elect the petitioner "to become a member of Phalanx Lodge upon receipt of dimit from the lodge of

which he is a member," holding that Section 146, does not apply to applications for membership of Masons holding membership in other Grand Jurisdictions and we approve his action in that case. However, that there may be no further misunderstanding of this important matter, and in justice to the brethren of other Grand Jurisdictions with whom this Grand Jurisdiction holds fraternal relation, your Committee recommends the adoption of the following regulation, to be annotated to Section 146, Code 1924: viz, "Reg. 250. The provisions of Section 146 of the Constitution shall apply to all applicants for membership from brethren holding membership in any Grand Jurisdiction with which this Grand Lodge is in fraternal relationship, provided that the applicant is a bona fide resident of the State of North Carolina at the date of his application." (1925. Dec. 36. Everett, G. M. 1925. Rep. 138.)

1083. We approve the recommendation of the Grand Master that the Deputy Grand Master shall be ex-officio a member of all of the Boards and Committees of which the Grand Master is a member by virtue of his office, and we recommend that the Committee on Jurisprudence draw suitable amendment to the Code embodying this change in the law. (1925. Rep. 117.)

1084. As to the recommendation of the Grand Master with respect to the Deputy Grand Master being required to attend all Board and Committee meetings of which the Grand Master is ex-officio Chairman, your Committee recommend the adoption of the following regulation, to be annotated to Section 13, Section 16 and Section 33 of the Code 1924: "Reg. 261. The Grand Master shall be ex-officio Chairman of the following Committees, on Oxford Orphanage, on Masonic & Eastern Star Home, on Masonic Temple, and the Deputy Grand Master and the Grand Wardens shall be ex-officio members of said Committees, on Finance, and Jurisprudence." (1925. Rep. page 139.)

1085. Lodge dues are payable on or before October 1st of each year, upon the returns to be made on or before August 31st, and any lodge failing to make such returns before the annual communication of Grand Lodge shall be cited to show cause why its charter should not be arrested for failing to make returns. (1925. Rep. 139.)

1086. Citation under Section 99 for failure of lodges to make returns and pay dues. In this connection your Board is of the opinion that the language of Section 99 apparently does not authorize the issuance of a citation prior to the Annual Communication of the Grand Lodge. (1925. Rep. 117.)

1087. *Resolved*, That the recognition heretofore extended the Grand Lodge Valle de Mexico in 1922 be withdrawn. (1925. Res. 88. 1925. Rep. 136.)

1088. *Whereas*, There does not seem to have been any action of the Grand Lodge recognizing the Grand Orient Lusitania of Portugal but that the same was catalogued in some way in the list of foreign grand lodges, therefore, be it

Resolved, That as this Grand Lodge has never recognized it that it be dropped from the list of Grand Lodges in our Proceedings, and the quasi recognition heretofore extended is cancelled. (1925. Res. 88, 1925. Rep. 136.)

1089. *Whereas*, Formal recognition by the Grand Orient of Belgium does not seem to have been had by this Grand Lodge, that it be dropped from the list of foreign grand bodies, recognized by this Grand Lodge. (1925. Res. 88. 1925. Rep. 136.)

1090. With respect to this resolution (declaring in favor of abolishing rotation in future appointive grand offices) this Committee voices the belief that the law as it now stands with respect to the power of the Grand

Master as to appointive officers (See Section 12, Constitution, page 10, Code, 1924) is wise and just and a proper and well recognized prerogative of the Grand Master, yet, we believe that it should be thoroughly understood that there is no provision or suggestion that such appointive officers be promoted in office by the succeeding Grand Masters. This Committee, therefore, feels that the foregoing is a sufficient expression of this Grand Lodge with respect to the subject matter of the resolution, and that the law as it stands should not be amended. (1925. Rep. 136.)

1091. We recommend that the resolution offered by the Grand Secretary Bro. W. W. Willson, as amended by this Committee be adopted, and the same become Regulation 259, annotated to Section 100 (B), page 55 of the Code of 1924, to read as follows: "Regulation 259. Each subordinate lodge shall annually, on or before June 1st, order from the Grand Secretary, a uniform paid up dues card for the next succeeding year, and he shall at the expense of each subordinate lodge cause the same to be issued to it, which uniform card all lodges must use. (1925. Res. 105 and 137.)

1092. Be it Resolved by the Grand Lodge that the Grand Secretary be and he is hereby instructed to purchase a Past Grand Master's apron with a carrying case for each retiring Grand Master, and have the same presented to him, commencing with the present Grand Master. (1925. Res. 106.)

1093. A lodge whose charter has been arrested and then restored must pay its full dues for that period, and not merely a pro rata, upon penalty of having its charter withdrawn. (1925. Rep. 51. 115.)

1094. Lodge attempting to suspend members, which action did not comply with Grand Lodge law (Code Section 101, page 56) is liable for dues, on such members. (1925. Rep. 115.)

1095. Where Grand Master arrested charter of lodge imposing inadequate sentence on guilty brother and afterwards restored charter but cited lodge to appear and show cause why charter should not be re-arrested, the committee are of the opinion that the punishment administered is not in keeping with the offense and do recommend this case be remanded to this lodge for the administration of a sentence commensurate with the enormity of the offense, the permanent restoration of this charter being based on this action, which must be prior to April 1, 1925. (1925. Rep. 115, also 33.)

1096. Grand Lodge dimit cannot be issued by Grand Secretary to former member of lodge, who virtually stands as an expelled Mason, where charter had been arrested. (1925. Rep. 116, also 50.)

1097. We recommend that until further order of the Grand Lodge, the Grand Master, Grand Treasurer, Grand Secretary, Chairman of Finance Committee, together with the five members of the Board of General Purposes, (all by virtue of their office and not individually) be constituted a board of trustees of the Permanent Fund, and they be authorized to engage some trust company or bank to be custodian of any investments, funds or other property that may be committed to their hands.

We further recommend that the Grand Lodge annually appropriate \$1,000.00 to be added to the principal of this fund.

We further recommend that, until further order of the Grand Lodge, the income from this fund be added to the principal. (1925. Rep. 122.)

1098. That the unexpended balances of the Grand Charity Fund now on hand be turned over to the board of trustees of the Permanent Fund to be held as a Grand Charity Fund, and that until further order, the income

to be added to the principal of the fund. Also that at the close of each year, any unexpected balance of the Grand Charity Fund appropriation shall be paid to the Board of Trustees to be added to this fund. (1925. Rep. 123.)

1099. We recommend that the bonds of Grand Secretary be increased to \$20,000.00, and the Grand Treasurer to \$10,000.00. (1925. Rep. 125 and 37.)

1100. We recommend that the salary of the Grand Secretary be fixed at \$3,600.00, which in addition to the \$600.00 paid the Grand Secretary by the Masonic Temple Construction, makes the total compensation of the Grand Secretary's office \$4,200.00 annually. (1925. Rep. 125.)

1101. Where ample evidence to support finding of guilty by lodge resulting in expulsion, Grand Lodge sustained action. (1925. Rep. 135.)

1102. Where transcript did not show any evidence to support an automatic expellable offense, but did to support a serious Masonic offense, whose punishment was discretionary, which conviction the Master ruled automatically expelled, the Grand Lodge remanded for new trial. (1925. Rep. 135.)

1103. Where lodge tries on several charges, the accused is entitled to a separate ballot on each charge as provided in Code 197, therefore case remanded for retrial. (1925. Rep. 135-136.)

APPENDIX

WILMINGTON, N. C., July 1, 1925.

Mr. A. B. Andrews, Raleigh, N. C.
Dear Brother Andrews:

I am enclosing herewith the index showing the cross reference to the Code of the decisions that you are working on, showing those that are obsolete or that have been amended.

Fraternally yours,

Charles B. Newcomb.

CBN-1
Enc. 2.

July 2, 1925.

Mr. Chas. B. Newcomb, Wilmington, N. C.
Dear Brother Newcomb:

I thank you for your letter of July 1st, enclosing me in duplicate the index, showing the cross reference to the Code of the decisions contained in the present (Volume 1) North Carolina Digest, and the manuscript volume, which is shortly to go to the printer.

Upon this memorandum I will prepare a narrative report, which I will submit to you and ask that it be used as a basis of an explanatory note showing what are (1) obsolete, (2) reversed or revoked, and (3) amended.

This will be an explanatory quick reference to which they can refer.

However, since thinking over the matter, in view of the completeness of your work, it would seem advisable that these entire eighteen pages should be printed as a part of the second volume of the Code, as it is so ready of reference. Also the narrative could be added for the purpose of attracting the reader's attention.

Please allow me to congratulate you upon the completeness of this work, which will last without change until a new Code is written, which will be several years in the future. In these days of "quantity and mass production," so much of which goes out of date with last year's almanac, it is a genuine pleasure to see a specimen of workmanship which is complete within itself. It is typical of the old idea of the "craftsman," who took so much pride in turning out a complete article of work, which was not only useful, but permanent and durable, as well as dependable. Such is the result of what you have worked up.

Again thanking you for your kindness, and with sincere, high and kind regards, I am

Fraternally yours,

A. B. Andrews.

ABA:M

Copies to: Mr. R. C. Dunn, Enfield, N. C.
Mr. J. Edward Allen, Warrenton, N. C.

July 3, 1925.

Mr. Chas. B. Newcomb, Wilmington, N. C.
Dear Brother Newcomb:

MASONIC DIGEST

Following up our letters and interviews, and your forwarding me the statement as to the Sections of the Digest, Numbers 1 to 1063, that were in force, amended, reversed, repaid, etc., I am herewith enclosing you the manuscript of Sections 1064 to 1103 inclusive, which I will thank your committee to revise in that same way.

If practicable I would like to include this in the second volume, which I wish to complete for the printer.

Fraternally yours,

A. B. Andrews.

ABA:M
enc.

Copies to: Mr. R. C. Dunn, Enfield, N. C.
Mr. J. Edward Allen, Warrenton, N. C.

Wilmington, N. C., July 7, 1925.

Mr. A. B. Andrews, Raleigh, N. C.
Dear Brother Andrews:

This will acknowledge receipt of your letters of July 2, and 3, relative to the Masonic Digest.

I am enclosing page No. 19 of the index and cross reference which I hope you will find in proper shape.

In checking the matter sent in your letter of July 3, I want to point out several items that appear to be errors in your manuscript.

Page 120, decision No. 1068, at the end you say "see also No. 1084," reference to No. 1084 would indicate no relation between the two decisions. Page 122, decision No. 1082, 20th line, the regulation number should be 261, instead of 250, the proceedings were not properly corrected before being printed. Page 123, decision No. 1084, in the 5th line, section 13 should be section 15, in the next line regulation 261 should be 262, for the same reason mentioned in the preceding paragraph. Page 123, decision No. 1086 in the 4th line, is written "prior to 'the' annual communication," should it not be "prior to 'this' annual communication?" Page 126, decision No. 1099, you refer to pages 125 and 37, apparently the reference to page 37 should be added at the end of decision 1100, instead of 1099.

I wish to thank you sincerely for your favorable comment upon the work which I have sent into your office and to assure you that it has been a pleasure to contribute this little effort toward a good work.

With highest personal regards, and best wishes, I am

Sincerely and fraternally yours,

Chas. B. Newcomb.

CBN-1
Enc-2.

APPENDIX

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1	No change			
2	Amended		156	63
3	Amended	90 (6)		47
4	No change	157		97
			82	45
5	Amended	227		123
7	No change	228		123
8	No change	1	(B)	3
8 a	No change	206		113
9	No change, Chap. XV			63
10	Amended	68		36
11	Obsolete	11 (2)		9
12	Amended	18 (14)		18
13	Amended	20		19
14	Amended	124		70
15	No change			
16	No change	17		14
17	Obsolete	20		19
		114 (4)		65
18	Amended	49		28
19	No change	113		63
20	Amended	11		9
21	No change	29		21
22	Obsolete	26		20
23	Amended	103		58
			138	58
		214		117
24	Amended	99		54
25	No change			
26	Amended	18 (13)		17
		99		54
27	No change, (see Dec. No. 1)			
28	No change	87	74	42
29	No change	7		6
30	Obsolete			
30 a	No change		141	59
31	Obsolete			
32	Amended	20		19
		114		64
33	Obsolete			
34	Amended	18 (14)		18
35	No change	153		96
36	No change	1		3
37	No change	165		99
38	Amended	7		6
39	Amended	7		6
40	Amended	127		71
41	Obsolete	28		21
42	No change	108		60
43	No change	123		69
44	Amended	128		72
45	Amended	128		72
46	Amended	78 (C)		40
47	No change			
48	No change		144	60
49	No change	121		68
50	Obsolete	128		72
51	No change		145	60
52	No change		144	60
53	Amended	20		19
54	No change			
55	Amended		141	59
56	Amended	138		78
57	No change		257 (2)	5
58	No change			
59	No change			
60	No change			
61	Amended	55		31
62	No change	157		97
63	No change	257 (2)		5
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64	Amended	214		117
65	No change	117		66

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66	Revoked		22	13
67	No change, Chap. VII			32
68	No change	14 (3)		11
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69	No change	89		46
70	Amended	122		69
71	Amended, Chap. IX			40
72	No change	110		61
73	No change		257 (2)	5
74	No change			
75	No change			
76	No change			
77	No change			
78	No change	237		126
79	No change			
80	No change		138	58
81	No change	207		114
82	No change			
83	No change	159		97
84	Amended	154		96
85	No change, Chap. XXVII			102
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89	No change			
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92	Amended	95		52
93	No change			
94	Obsolete	151 (6)		94
95	No change	241		117
96	No change			
97	No change	153		96
98	No change			
99	No change	121		68
100	No change	118		67
101	No change		29	46
102	No change			
103	Amended	200		112
104	No change			
105	No change			
106	No change	136		77
107	No change	150	137	92
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108	No change	151 (8)		94
109	No change	4		4
110	Amended	90 (6)		47
111	No change		47	43
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113	No change, Chap. XXVIII			120
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115	No change	157		97
116	No change			
117	Amended	93		50
117 (2)	Amended	95		52
118	Obsolete			
119	No change	117		66
120	No change			
121	No change	117		66
122	No change	113		67
123	No change	123		69
124	No change	62		33
125	No change	118		67
126	Obsolete			
127	Amended		22	13
128	Obsolete			
129	Obsolete			
130	No change		29	46
131	No change	62		33
132	No change			
133	No change			
134	No change			

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135	No change		29	46
136	No change	132		74
137	Amended, Chap. IV			21
138	Amended	18 (11)		17
139	No change	118	162	67
140	No change	121		68
141	No change			
142	No change	78		39
143	No change		200	80
144	No change	74		38
145	No change			
146	No change			
147	No change	78		39
148	No change, (see No. 139)			
149	No change	132		74
150	Amended	117 (2)		67
151	Amended	119		67
152	Obsolete			
153	No change		178	70
154	Amended	207		114
155	No change			
156	Amended	263		133
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157	No change	82		41
158	Amended	90 (10)		47
159	Amended		128	55
160	Amended	130 (2)		73
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163	No change		113	52
164	No change	87		42
165	Amended	122		69
166	No change			
167	No change	128		72
168	No change	128		72
169	No change		186	72
170	No change		159	64
171	Obsolete			
172	No change	151		93
173	No change			
174	No change	103	138	58
175	Amended	84		42
176	No change	125		70
177	No change	90 (10)		47
178	No change	114		64
179	No change	121		68
180	Amended	117		66
181	No change		174	83
182	No change		62	36
183	No change	60		33
184	Amended	130 (2)		73
185	No change			
186	Amended, (see No. 207)	94		52
187	No change			
188	No change		131	57
189	No change		138	55
190	No change, Chap. XXVI			98
191	Amended	86		42
192	No change	122		69
193	No change	127		71
194	Amended		202	80
195	No change			
196	No change	74		38
197	No change	207		114
198	No change	151 (6)		94
			104	51
199	No change			
200	No change	161		98
201 1	No change			
201 2	No change		22	13
201 3	Obsolete			

Decision No.	Remarks	Sec.	Reg.	Page
202	No change		137	92
203	Amended	150		92
204	No change			
205	No change	71		37
206	Obsolete			
207	No change	94		52
208	Amended	60		32
209	No change	204		113
210	No change			
211	No change	162		98
212	Amended		141	59
213	No change			
214	Reversed	214		117
215	No change			
216	Amended	150		92
217	No change	118		67
218	No change	96		53
219	Amended	71		37
220	No change	219		119
221	Amended	95		52
222	No change	95		52
224	No change			
225	No change	95		52
226	No change	151		93
227	Amended	265		133
228	No change	265		133
229	No change	265		133
230	No change	262		133
		210		115
231	No change	78		38
232	Amended	60		32
		144		81
233	No change	214		117
234	No change	175		102
235	No change			
236	No change		51	33
237	No change			
238	No change	151		93
			104	51
239	Amended	206		113
		207		114
240	Amended	207		114
241	No change			
242	Amended	7		6
			8	9
243	Amended		134	57
244	No change	159		97
		191		109
245	No change	159		97
		202	(2)	112
246	Amended	93		50
			134	57
247	Amended	81		41
248	Amended	104		58
249	Amended, Chap. VII			32
250	No change	128		72
251	Amended	121		68
252	No change	217		118
253	No change	153		96
254	No change			
255	Amended	73		38
		76		39
256	No change	101		56
257	No change	172		69
258	No change			
259	Amended		174	83
		127		71
260	No change	127		71
261	Reversed	151	(6)	94
262	No change	101		56
263	No change			
264	No change			

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265	No change	197		111
266	No change			
267	Amended		156	63
268	Amended		227	106
269	Amended	124		70
270	Amended	81		41
271	No change			
272	No change, Chap. XXVII			102
273	No change	142		80
274	No change, Chap. XXVII			102
275	No change			
276	No change	197		111
277	Obsolete	206		113
278	No change			
279	Obsolete	206		113
		175		102
280	Obsolete	206		113
281	No change	117		66
282	No change		227	106
283	No change	88 (18)		45
283	No change		227	106
284	No change			
285	No change	150		92
286	No change		134	57
287	No change			
288	Obsolete			
289	No change	117		66
290	No change		202	80
291	Obsolete			
292	Amended		202	80
293	No change		202	80
294	Amended	86		42
295	No change			
296	No change		58	35
297	Amended	139		78
298	No change	71		37
299	No change	151 (10)		95
300	Amended	200		112
301	Amended	152		96
			233	109
302	No change	121		68
303	No change	207		114
		104		58
304	No change		110	51
305	No change	125		70
306	Amended	116		66
		122		69
307	Reversed, Dec. No. 507			
308	No change			
309	Amended, Chap. XXVII			42
310	Amended	194		110
			235	110
311	No change	218		118
312	No change		137	92
			210	92
313	No change			
314	No change			
315	Amended	237		126
316	No change		76	43
317	Amended		78	45
318	No change	184		107
319	No change	151 (10)		95
320	Amended	206 (B)		113
321	No change			
322	No change		7	31
323	No change			
324	No change			
325	No change		7	31
326	No change			
327	No change		7	31
328	No change	151		93
329	No change	151 (10)		95
330	Amended	150		92

Decision No.	Remarks	Sec.	Reg.	Page
331	No change	141		80
332	No change		203	80
333	Amended	150		92
334	No change	101 184		56 107
335	No change			
336	No change	118		67
337	No change			
338	Amended	128		72
339	No change			
340	No change		76	43
341	No change		76	43
342	No change		71	42
343	No change			
344	No change		75	43
345	Repealed, Dec. No. 455			
346	Amended	84		42
347	Amended	7		6
348	Obsolete			
349	Obsolete			
350	Obsolete			
351	Obsolete			
352	No change	151 (10)		95
353	No change			
354	No change			
355	No change	219		119
356	No change	141	202	80
357	No change	1		3
358	No change			
359	Obsolete			
360	Amended	90 (3)		47
361	No change			
362	No change		70	41
363	Amended	117		66
364	Amended	84		42
365	No change			
366	Amended	237		126
367	No change			
368	No change	82		41
369	Amended	90 (1)		46
370	Amended		29	46
371	No change, Chap. XXVII			102
372	Obsolete	151 (6c)		94
373	Obsolete			
374	Amended	151 (2)		93
375	No change	71		37
376	No change		257	5
377	Obsolete	73		38
378	No change	139		78
379	No change	94		52
380	No change	201		112
381	No change	175 (B)		103
382	Amended	159		97
383	No change			
384	No change	154		96
385	Amended	104		58
386	Amended	124	176	70
387	No change		120	62
388	Obsolete			
389	No change	202		112
390	Amended	104		58
391	No change			
392	No change			
393	Amended	118		67
394	No change	117		66
395	No change			
396	No change			
397	No change	4		4
398	No change			
399	No change	118		67
			176	70
		127		71
			123	63

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Decision No.	Remarks	Sec.	Reg.	Page
400	Amended	60		32
		70		37
401	Obsolete			
402	No change	13		10
403	No change	71		37
404	No change, Chap. XXVII			102
405	Amended	221		120
406	Amended	206	(B)	113
407	No change		200	80
408	No change			
409	Amended	130	(2)	73
410	No change		163	67
411	No change	94		52
412	No change		204	81
413	No change			
414	No change	152		96
415	No change	128		72
416	No change	118		67
417	No change		120	62
418	Obsolete			
419	No change	106		59
420	No change		227	106
421	Obsolete			
422	No change			
423	No change			
424	No change	91		49
425	Obsolete		69	39
426	Amended	86		42
427	Amended		202	80
428	No change	88		43
429	No change	117		66
430	Reversed	84		42
431	Reversed, Dec. No. 528			
432	No change	1		3
433	No change	151		93
434	No change	154		96
435	No change	125		70
436	No change	119		67
437	Amended	214		117
		237		126
			202	80
438	Amended, see Dec. No. 437			
439	No change	161		98
440	No change	127		71
		118		67
441	No change	132		74
442	No change	214		117
443	No change	4		4
444	Obsolete	81		41
445	No change	118		67
			162	67
446	No change	127		71
447	No change	121		68
448	No change	127		71
		184		72
449	Obsolete	86		42
450	No change	74		38
451	Amended	117		66
452	No change	78		39
453	No change	73		38
454	Amended			
455	No change			
456	No change	127		71
		128		72
457	No change	4		4
			257	5
458	No change	4		4
			257	5
459	No change	13		10
460	No change	159		97
461	No change	74		38
462	Amended		138	58
		212		116
		159		97

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463	No change, Chap. XX			80
464	No change	190		109
465	No change	73		39
466	No change	86		42
467 1	No change	3		4
467 2	No change	73		38
467 3	No change			
468	No change	153		96
469	Obsolete	76		39
			69	39
470	No change	157		97
471	No change		202	80
472	No change			
473	No change	117		66
474	No change	11		9
			7	31
		83		41
475	No change	132		74
476	No change		76	43
477	No change		110	51
478	No change	72		38
479	No change		29	46
480	No change	153		96
		154		96
		221		120
481	No change	108	145	60
482	No change	116		66
483	No change		176	70
484	Amended		133	75
485	Obsolete	151 (6)		94
486	Amended	138		76
487	Amended	133		74
488	Obsolete	128		72
489	Amended	121		68
490	No change	151 (7)		94
491	No change	76	69	39
492	No change	159		97
		202		112
493	Amended	117		66
494	No change	117		66
495	No change		11	10
496	No change	108	147	60
497	Amended	117		66
498	No change	138		78
499	No change			
500	No change	127		71
501	No change	125		70
502	No change	125		70
503	No change	127		71
504	No change	88		43
			111	61
505	No change	157		97
506	Amended	133		74
			192	76
507	No change		200	80
508	Amended	121	166	68
509	Obsolete	118		67
		121		68
510	No change			
511	No change	118		67
		73		38
512	Obsolete	130 (2)		73
513	No change	118		67
514	Amended	207		114
515	Amended	133		75
516	No change	118		67
517	No change			
518	No change	117		66
519	No change			
520	Amended	128		71
521	No change		188	74
522	No change		141	59
523	No change	112		62
524	No change	117		66

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525	-----Obsolete-----	130	(2)	73
526	-----No change-----	78		39
527	-----Amended, Chap. XXVI-----			98
528	-----No change-----			
529	-----Amended-----	117		66
530	-----No change-----	106		59
531	-----No change-----		146	60
		132		74
532	-----Amended, Dec. No. 534-----	207		114
533	-----No change-----		200	80
534	-----No change-----			
535	-----No change-----			
535	-----No change-----	127		71
536	-----Amended, Chap. XXVI-----			98
537	-----Omitted-----			
538	-----Amended, Chap. XXVIII-----			120
539	-----Obsolete-----	118		67
540	-----No change-----	142		80
541	-----No change-----			
542	-----No change-----			
543	-----No change-----			
544	-----No change-----			
544	-----No change-----	121		68
545	-----No change, Chap. XXVII-----			102
546	-----No change-----			
547	-----No change-----		7	31
548	-----No change-----			
548 a	-----Amended-----	117		66
549	-----Amended-----	122		69
550	-----No change-----		174	70
551	-----No change-----	125		70
552	-----No change-----		201	80
553	-----No change-----		202	80
554	-----No change-----	117		66
555	-----Obsolete-----	133		75
556	-----No change-----			
557	-----No change-----			
558	-----Obsolete-----	101		57
559	-----No change-----	117		66
560	-----No change-----	117		66
561	-----Amended-----	117		66
562	-----Amended-----	104		58
			120	62
563	-----No change-----	69		36
564	-----Amended-----	76		39
		118		67
565	-----Amended-----	116		66
566	-----Obsolete-----	151	(6)	94
567	-----Amended-----			
567	-----Amended-----		188	74
568	-----No change-----	128		72
569	-----No change-----	207		14
570	-----No change-----			
571	-----No change-----			
571	-----No change-----	219		119
572	-----Obsolete-----			
573	-----Amended-----	14	(6)	12
574	-----Amended-----	117		66
575	-----No change-----	117		66
576	-----No change-----	117		66
577	-----No change-----	117		66
578	-----No change-----	117		66
579	-----No change-----	117		66
580	-----No change-----	117		66
581	-----No change-----			
582	-----Obsolete-----	130	(2)	73
583	-----Amended-----	128		72
584	-----No change-----	115		65
585	-----No change-----			
586	-----No change-----	153		98
587	-----No change-----	71		37
588	-----Amended-----	104		58
		237		126
589	-----Amended, Chap. IV-----			21
590	-----No change-----			
591	-----No change-----			
592	-----Amended-----	133		75
593	-----No change-----	8		8

Decision No.	Remarks	Sec.	Reg.	Page
594	Amended	146		83
595	No change		71	42
596	No change	130 (2)		73
597	No change	127		71
598	No change	116		66
599	No change	122		69
600	No change	128		72
601	No change	128		72
602	No change	117		66
603	No change	118		66
604	No change			
605	No change			
606	No change		58	35
607	No change	151 (10)		95
608	No change	116		66
609	Amended, Dec. No. 1050			
610	No change	214		117
611	No change	118		67
612	Amended	121		68
613	No change	72		38
614	No change	210		92
615	No change			
616	No change			
617	No change			
618	No change		29	46
619	No change, Chap. IV			21
620	No change			
621	Obsolete			
622	No change			
623	No change			
624	No change			
625	No change			
626	No change		13	11
627	Obsolete	121		68
628	No change			
629	No change	151 (6 b)		94
630	No change			
631	No change			
632	No change	117		66
633	No change			
634	Amended, Chap. XX			80
635	No change	117		66
636	No change			
637	No change			
638	No change	121		68
639	No change			
640	No change			
641	No change			
642	No change		163	67
643	No change			
644	No change			
645	No change	104		58
646	No change			
647	No change	197		111
648	No change			
649	Amended	128		72
650	No change	73		38
		71		37
651	No change			
652	No change			
653	No change		2	6
654	No change		2	6
655	No change			
656	No change			
657	No change			
658	No change			
659	No change			
660	No change		2	6
661	No change			
662	No change			
663	Amended, Chap. XX			20
664	No change			
665	No change		101	51
666	No change			

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Decision No.	Remarks	Sec.	Reg.	Page
667	No change			
668	No change			
669	No change			
670	No change			
671	No change			
672	Amended	118		67
673	No change			
674	No change			
675	Not Law			
676	No change			
677	No change	118		67
678	No change	125		70
679	No change	62		33
680	No change			
681	No change	62		33
682	No change			
683	No change			
684	No change		188	74
685	No change			
686	Amended, Chap. XX			
687	Amended	81		41
688	Amended	153		96
689	No change			
690	Amended	140		79
691	No change			
692	No change			
693	Amended		204	81
		86		42
694	No change		141	59
695	No change			
696	No change	125		70
697		104		58
698	No change	95		52
699	No change			
700	No change			
701	No change			
702	Amended	175 b		103
703	No change			
704	No change			
705	No change			
706	No change	62		33
707	No change			
708	No change	104		58
708 a	Amended	101		56
		102		58
709	No change, Chap. XVII			67
710		128		72
711	Amended	130 (2)		73
712	No change			
713	No change			
714	No change			
715	No change			
716	No change			
717	No change			
718	No change			
719	No change			
720	No change			
721	No change	86		42
722	No change			
723	No change			
724	No change			
725	No change			
726	No change		188	74
727	No change	118	162	67
728	No change			
729	No change			
730	No change			
731	No change		13	10
732	No change			
733	Amended	117		66
734	No change			
735	No change	104		58
736	No change	117		66
737	No change	121		68

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738	No change	121		68
		13		10
739	No change	118		67
740	No change		200	80
741	No change	101		56
742	No change	118		67
743	No change	146		83
744	No change			
745	No change	117	(3)	66
746	No change			
747	No change	86		42
748	Amended	124		70
749	No change			
750	No change		56	35
751	No change			
752	No change	189		109
753	No change	118		67
754	No change			
755	No change			
756	No change			
757	No change			
758	Amended Chap. XXVI.			98
759	No change	71		37
760	No change		159	64
		151	(a)	95
761		113		63
762	No change			
763	No change	128		72
764	No change			
765	No change			
766		117		66
767	No change			
768	Amended	157		97
769	No change		15	12
770	Amended			97
771	No change	204		113
772	No change			
773	No change			
774		138	(b)	78
775	No change	73		38
776	No change	157		97
777	No change			
778	No change			
778 a	No change		107	50
779	No change			
780	Amended	145		82
781	Not law now			
782	No change	146		82
783	No change			
784	No change			
785	No change			
786	No change	132	(2)	74
787	No change	128		72
788	No change			
789	No change	82		41
790	No change			
791	No change			
792	No change	117		66
793	No change			
794	No change	117		66
795	No change	127		70
796	No change	118		67
797	No change	138		78
798	No change	117		66
799	Amended		69	39
800	No change			
801	Amended	130	(2)	73
802	No change	148		92
803	No change	149		92
804	No change	4		4
805	No change	113		63
806	No change		159	64
		151	(9)	95
807	No change			

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Decision No.	Remarks	Sec.	Reg.	Page
808	No change			
809	No change	151 (8)		95
810	No change		200	80
811	No change			
812	No change	117		66
813	No change		188	74
814	No change	91		49
815	No change	116		66
816	No change	78		39
817	No change			
818	No change	60		32
819	No change	89		46
820	No change			
821	No change	115		65
822	No change	86		42
823	No change	128		72
824	No change			
825	No change	118		67
826	No change			
827	No change			
828	No change	127 128		71 72
829	No change			
830	No change			
831	No change			
832	Amended		141	59
833	No change			
834	Amended	145		82
835	No change			
836	No change			
837	No change, recommendation only			
838	No change	86		42
839	No change			
840	Amended	98		54
841	No change	14 (7)		12
842	No change, provided "B" is located in N. C.	73		38
843	No change	11 20		9 19
844	No change			
845	No change	103		53
846	No change		58	35
847	Amended, (paragraph 2)	272		139
848	No change, provided "B" is in North Carolina	73		38
849	Amended	129		72
850	Amended	60		32
		144		81
		146		83
851	No change	146		83
852	Amended	127		71
853	No change	142		80
854	No change	71		37
			66	38
855	No change, paragraph 4	14		12
856	No change, paragraph 4	14		12
857	This is a statement of fact, not a decision.			
858	No change, paragraph 1	91		49
859	No change	90 (2)		47
860	No change	14 (4)		12
861	No change	214		117
862	No change	95	114	52
863	No change	14 (7)		12
864	No decision			
865	No change	214		117
866	No indefinite suspension permitted	206 (b)		113
867	No change			
868	No change	14 (7)		12
869	No change	132		74
870	No change	117		66
871	No change	117		66

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872	-----	117		66
873	-----No change	121		68
874	-----No change	117		66
875	-----No change			
876	-----No change	71		37
877	-----No change	153		96
878	-----No change		163	67
879	-----No change	118		67
880	-----	117		66
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